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Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction and Mission priorities

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested that I report at regular intervals on the implementation of its mandate. It covers the activities of UNMIK, and developments related thereto, from 23 April to 15 July 2013.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and in the region. In furtherance of its goals, UNMIK continues constructive engagements with Pristina and Belgrade, all communities in Kosovo, and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with Security Council presidential statement of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes continue to work closely with the Mission.

II. Political developments

3. Following the "First agreement on principles governing the normalization of relations" of 19 April 2013, initialled by Pristina and Belgrade (see S/2013/254, para. 4), political developments during the reporting period centred on initial implementation of the agreement.

4. In Brussels, a series of high-level consultations between Belgrade and Pristina, led by Prime Ministers Ivica Dačić and Hashim Thaçi and facilitated by the European Union High Representative for Foreign Affairs and Security Policy, Catherine Ashton, resulted in a further agreement on 22 May on an implementation plan for the 19 April agreement. The plan laid out concrete steps and timelines for implementation, including the necessary adjustments to the existing legal frameworks to accommodate the establishment of the Association/Community of Kosovo Serb municipalities, integration of the Serbian police and judicial structures, and preparation for local elections.

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5. Subsequently, Prime Ministers Dačić and Thaçi met in Brussels on 20 June and 8 July. These meetings helped to advance the implementation work, expediting progress, particularly on provisions related to police, judiciary and elections in northern Kosovo, as well as to move forward in their discussion of energy and telecommunications issues. In parallel, the parties have engaged continuously at the expert level in the framework of thematic working groups. Further high-level discussions on implementation were also held during the visit of High Representative Ashton to Belgrade and Pristina on 9 and 10 July.

6. As a result of these intensive efforts, substantial progress has been made by each of the parties in fulfilling obligations under the 19 April agreement. Accordingly, on 27 and 28 June in Brussels, the European Council discussed the progress in the European Union-facilitated dialogue in the framework of its consideration of the next steps in the European Union integration process with regard to Serbia and Kosovo. The Council agreed to open accession negotiations with Serbia and to hold the first intergovernmental conference by January 2014. It also authorized the opening of negotiations between the European Union and Kosovo on a stabilization and association agreement.

7. In June, the parties agreed on the composition of the management team, comprised of representatives from the four northern Kosovo municipalities, that will draft the statute of the Association/Community of the Kosovo Serb municipalities and perform some of its competencies on an ad interim basis. These competencies include economic development, education, health, urban and rural planning and representing the future Association/Community until its formal establishment.

8. The Kosovo authorities announced the holding of municipal elections, including in northern Kosovo, on 3 November 2013. Accordingly, OSCE began preparatory work in consultation with all stakeholders on the modalities for conducting these elections in northern Kosovo.

9. On 26 June, the Assembly of Kosovo ratified the First agreement on principles governing the normalization of relations of 19 April by more than a two-thirds majority of 84 votes, with 3 against and 1 abstaining. The opposition movement Vetëvendosje staged a protest against the ratification of the agreement, during which 17 Kosovo police officers were reportedly injured and more than 60 protesters arrested. In line with the implementation plan, the Kosovo authorities have submitted to the Kosovo Assembly various amendments to laws, respectively on local self-government, rights of communities and the budget.

10. On 11 July, the Assembly of Kosovo approved a revised version of a draft law on amnesty that is intended, inter alia, to facilitate integration of former employees of parallel structures into the Kosovo legal system. A precedent draft of this law had failed to obtain the required two-thirds majority a few days earlier, after concerns arose that it could be open to political misuse.

11. In addition, the Kosovo authorities have approved an amendment to the 2013 Kosovo budget that provides for the funding, through a special Development Trust Fund, for the Association/Community of Kosovo Serb municipalities.

12. On 17 June, in the context of the implementation of the 19 April agreement, the Serbian High Judicial Council issued a decision instructing the three Serbian courts operating in northern Kosovo (Higher Court, Basic Court and Minor Offence Court) to cease receiving new cases and hand over cases received after 15 July.

These new cases will be recorded and kept by these Courts until a proper hand-over procedure to the relevant judicial authorities is agreed upon, in cooperation with EULEX. On 25 June, a Kosovo police Regional Commander for the four northern municipalities was appointed. During the month of June, three police offices of the Serbian Ministry of the Interior were officially closed in northern Kosovo: in Leposavić/Leposaviq, Zvečan/Zveçan and Zubin Potok. The fourth Serbian police office, located in northern Mitrovica, was closed on 5 July.

13. In accordance with an agreement on the exchange of liaison officers reached in December 2012, Belgrade and Pristina deployed their liaison officers on 17 June. These officers, located at the respective offices of the European Union, will facilitate further communication on matters related to the European Union-facilitated agreements.

14. On 9 July, following its visit to Kosovo on 3 July, the North Atlantic Council declared that the Kosovo Security Force had reached its full operational capability. According to the North Atlantic Treaty Organization (NATO), the mission of the Kosovo Security Force will remain the same: to conduct civil protection operations and to assist the civil authorities in responding to natural disasters and other emergencies, including search and rescue, the disposal of explosive ordnance and other humanitarian assistance tasks. NATO will continue to provide support to the Kosovo Security Force through the newly established NATO Liaison and Advisory Team. The mandate of KFOR under resolution 1244 (1999) — to work towards providing a safe and secure environment in Kosovo and freedom of movement for all — remains unchanged.

15. On 1 July, the Minister for the Kosovo Security Force and the Minister of Defence of Albania signed an agreement on the status and procedures related to the temporary deployment of Kosovo Security Force and Albanian military personnel on respective territories.

III. Northern Kosovo and developments on the ground

16. While Pristina and Belgrade have continued discussions on the implementation of the 19 April agreement, many northern Kosovo Serbs continued to voice their opposition to the agreement.

17. The Belgrade-sponsored municipal assemblies held a number of joint sessions during the reporting period, stressing that the Belgrade-Pristina agreement lacked sufficient safeguards for the rights and interests of Kosovo Serbs and that the Constitutional Court of Serbia should pronounce itself on the constitutionality of the agreement.

18. Northern Kosovo Serb political leaders also stressed their commitment to the declaration of the public rally held on 22 April in north Mitrovica protesting the 19 April Brussels agreement. They had then called for the establishment of their own Provisional Assembly of the Autonomous Province of Kosovo and Metohija. Following several postponements, and despite calls from the Belgrade leadership on northern Kosovo Serbs to support the Brussels agreement, this Provisional Assembly was inaugurated on 4 July in Zvečan/Zveçan. Although not recognized by either the Belgrade or the Pristina authorities, it encompasses municipal assembly

members from four northern municipalities and a small number of representatives from other parts of Kosovo.

19. The local Kosovo Serbs also expressed criticism with regard to the establishment of the Management Team to guide the preparation for the future Association/Community of Kosovo Serb municipalities. The municipal assemblies in Zvečan/Zveçan and Leposavić/Leposaviq formally denounced the appointment of the management team, while municipal representatives from northern Mitrovica and Zubin Potok protested the appointment publicly.

20. The Serbian leadership continued to engage with northern Kosovo Serb representatives as part of its outreach efforts in support of the implementation of the 19 April agreement. In addition to contacts in Belgrade, senior Serbian officials, such as the First Deputy Prime Minister, the Director of the Government Office for Kosovo and Metohija, and the Ministers for Education, Health, and Justice, visited Kosovo and met with local representatives and employees of Serbian public institutions.

21. During the reporting period, KFOR maintained full freedom of movement in the north. EULEX monitoring, mentoring and advising activities continued to be carried out at all Kosovo police stations in the north, with the exception of Zubin Potok. EULEX patrolling activities in northern Kosovo continued without major difficulties.

22. On 20 June, for the first time in many months, Kosovo customs and police officers were able to reach gate 1 in Leposavić/Leposaviq by road, rather than by helicopter. However, the transportation of Kosovo customs and police to gate 31 near Zubin Potok continued by air. Notwithstanding the foregoing, the implementation of the integrated border management agreement on crossing points continued without major issues. The use of unauthorized crossing points in the north also continued.

23. The roadblock at the Austerlitz Bridge in central Mitrovica remained, alongside informal obstacles and checkpoints that continue to impede traffic. On 26 June, local leaders initiated the removal of road obstacles between northern Mitrovica to Zvečan/Zveçan.

24. The Pristina-sponsored Mitrovica North Administrative Office continued to face challenges in extending and exercising authority in northern Mitrovica. However, the office was able to complete a number of refurbishment projects and made donations to local schools in northern Mitrovica. It continues to provide a range of Kosovo civil documentation services to the local residents.

25. UNMIK Administration Mitrovica continued its monitoring, mediation and facilitation activities. In this facilitation role, UNMIK Administration Mitrovica has brought together heads of water and electricity companies from northern and southern Mitrovica to explore ways to resolve mutual disputes and practical issues. In cooperation with OSCE, UNMIK Administration Mitrovica also organized meetings of representatives of all local communities to improve coordination among non-governmental organizations (NGOs) working in both northern and southern Mitrovica.

26. UNMIK activities in the Mitrovica region continued to be adapted to the evolving situation in order to provide maximum support for political processes, focusing particularly on issues related to the implementation of the 19 April agreement. In this context, cooperation with key partners on the ground — KFOR, the

European Union and OSCE — has been further strengthened to ensure harmony of collective efforts. Planning has been completed for the implementation of small-scale confidence-building and reconciliation projects in support of these mission objectives and the broader political process.

27. During the reporting period, UNMIK continued to play a mediation and facilitation role in northern Kosovo. Given the continued boycott of the Kosovo institutions by northern Kosovo Serbs, UNMIK served as a communication channel between municipal representatives and minority communities to ensure effective provision of public and social services and, in some cases, facilitated direct contact between the communities. UNMIK continued to utilize its capacity and resources to help defuse tensions and incidents. It continued to work in tandem with other mandate-holding partners to ensure a coordinated approach in the north.

IV. Security

28. The overall security situation in Kosovo remained generally calm during the reporting period, with occasional incidents reported in ethnically mixed areas, but also exhibiting evidence of efforts from all sides to reduce the volatility on the ground as the political dialogue proceeds.

29. In northern Kosovo, the previously reported trend of incidents involving the use of explosive devices has decreased. The number of incidents affecting minority communities throughout Kosovo also decreased compared with the previous reporting period. Familiar categories of incidents of theft, property damage, arson, illegal occupation of houses and other common crimes continued to be reported in minority and ethnically mixed areas. Instances of illegal woodcutting were also reported. On 7 July, a number of woodcutters were injured during an exchange of fire with Serbian security personnel near the administrative boundary. On 30 May, in Podujevë/Podujevo municipality, two Kosovo-Albanians, suspected of involvement in illegal woodcutting operations, were arrested and charged by the Kosovo police. The Kosovo police have responded to crimes affecting the ethnic minorities, which resulted, in some cases, in the prompt arrest of suspects.

30. During July, tensions were reported in northern Mitrovica around the construction of housing for the Kosovo-Albanian internally displaced population. Kosovo Serbs, varying in numbers, held daily protests in the area of Brdjani/Kroi i Vitakut to prevent the construction workers from accessing the site. No serious incidents have been reported and the Kosovo police, KFOR and EULEX have increased their presence around the area. Last November, similar tensions escalated into violence resulting in injuries to a number of people (see S/2012/72, para. 10).

31. The annual Serb pilgrimage in connection with the commemoration of Saint Vitus day (Vidovdan) took place across Kosovo on 28 June. According to the Kosovo police, in three separate incidents, a number of buses were stoned and several pilgrims were slightly injured. An unidentified suspect threw stones towards two buses near Pristina, causing minor injuries to six Serbs and causing property damage. In the village of Hajvali/Ajvalia in Pristina, stones were allegedly thrown by Serbian pilgrims at another bus carrying Kosovo Albanians, resulting in property damage and minor injuries to the driver. All victims received medical treatment and were released. The Kosovo police immediately responded to these incidents

and significantly contributed to a more peaceful conduct of the event as compared to last year.

V. Rule of law

32. UNMIK continued to monitor activities and exercise residual responsibilities in the area of rule of law and cooperate at the technical level with the Ministry of Justice and the Ministry of Internal Affairs of Kosovo and the Ministry of Justice of Serbia.

33. During the reporting period, UNMIK continued to receive requests for mutual legal assistance from countries that have not recognized Kosovo, as well as from the Serbian Ministry of Justice. These requests continue to be transmitted, through EULEX, to the Kosovo Ministry of Justice. UNMIK also continued to facilitate the issuance of the International Criminal Police Organization notices and warrants on a regular basis.

34. UNMIK continued its efforts to support and encourage progress on missing persons. On 31 May, the working group on missing persons held its eleventh public session in Pristina, during which its Chair, the International Committee of the Red Cross, called upon all authorities to come forward with new information. Since the beginning of 2013, EULEX has conducted 30 field operations in the Pejë/Peć, Mitrovica, Suharekë/Suva Reka, Prizren, Gjakovë/Đakovica, Klinë/Klina and Skenderaj/Srbica areas. As a result, the remains of 18 individuals were recovered. There are still 1,726 persons listed as missing from the Kosovo conflict.

35. UNMIK continued to provide document certification services to Kosovo residents and non-recognizing States, such as certification of civil status and pension documents. During the reporting period, requests for certification services by UNMIK for pension-related matters increased dramatically, despite limited resources of UNMIK for processing such requests. Discussions have been initiated with all stakeholders to determine a possible solution.

36. On 29 April 2013, a mixed panel of EULEX and Kosovo judges convicted five of the seven defendants in the "Medicus" organ trafficking case. On 30 April, EULEX announced an investigation against an additional eight suspects, based on evidence revealed during the trial.

37. In late May, EULEX and Kosovo police arrested several members of the so-called Drenica group, who have been charged with crimes against the civilian population at a former Kosovo Liberation Army (KLA) detention facility in Skenderaj/Srbica municipality. The arrests sparked public protests by KLA veterans and their supporters and calls on the Kosovo authorities to release them and to revoke the executive mandate of EULEX.

VI. Returns and communities

38. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), during April and May, 36 displaced persons returned to Kosovo, compared to 159 reported for the same period in 2012.

39. UNHCR also reported that 557 displaced Kosovo Serb families have expressed willingness to return to Kosovo from Serbia, along with 107 Kosovo Roma, Ashkali

and Egyptian families from Montenegro and 47 Kosovo Roma, Ashkali and Egyptian families from the former Yugoslav Republic of Macedonia. UNHCR has assessed that the lack of adequate funds for housing and/or land allocation remains among the major obstacles to voluntary returns. In addition, 1,106 individuals were forcibly repatriated to Kosovo from third countries between January and May 2013, including 406 members of non-Albanian communities.

40. The International Organization for Migration has continued to support both receiving communities and returnees in 29 municipalities throughout Kosovo, under the framework of the European Union Community Stabilization Programme. This support includes the provision of productive business assets and community development projects. During the reporting period, 64 business and community development projects were being completed in Kosovo, benefiting members of the Serb, Roma, Ashkali, Egyptian, Croat, Bosnian, Gorani, Turkish and Albanian communities in Kosovo.

41. UNMIK continued to donate vehicles, containers and information technology equipment to municipalities, religious institutions and civil society groups across Kosovo.

VII. Cultural and religious heritage

42. During the reporting period, UNMIK continued to cooperate and facilitate the activities of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Kosovo. In July 2013, a UNESCO technical inspection team visited a number of sites currently under reconstruction in Kosovo. With support from Albania, the Russian Federation and Turkey, UNESCO facilitated the restoration of the Church of the Dormition in Graçanicë/Gračanica Monastery, launched the tender for restoration of the Gazi Mehmet Pasha Hammam in Prizren, and signed a contract for restoration of the Roman Catholic cathedral in Prizren. With support from Bulgaria, the restoration of the Ottoman-era fountains in the historic zone of Prizren is also being planned. A contract has been signed with the European Union to renovate the ruins of the medieval fortress in Novobërdë/Novo Brdo.

43. KFOR continued to provide static protection at the Visoki Dečani Monastery and to gradually transfer security responsibility at the Peć Patriarchate to the Kosovo police. UNMIK remains in close contact with KFOR, Kosovo police and UNESCO to ensure a smooth hand-over of protection responsibilities at the Serbian Orthodox sites.

44. The recruitment of police officers to the recently established Kosovo police unit for the protection of cultural heritage was completed in May. This multi-ethnic unit, which is composed of 199 police officers and led by a Kosovo Serb commander, is responsible for ensuring protection at 23 Serbian Orthodox Church sites and regular patrolling at an additional 169 sites. OSCE has provided training for the officers of this unit.

45. The establishment of the cultural heritage councils in Prizren and Hoçë e Madhe/Velika Hoča village, as envisaged by the laws on the historic centre of Prizren and on the village of Hoçë e Madhe/Velika Hoča, were delayed owing to procedural issues. On 18 June, the Assembly of Kosovo Committee on the Rights and Interests of Communities and Returns held a public hearing on the

implementation of these laws and urged the municipalities of Prizren and Rahovec/Orahovac to implement the laws without further delay. As a result, a cultural heritage council was established in Prizren on 2 July, while its establishment in Rahovec/Orahovac is still pending.

46. The Implementation Monitoring Council, established in February 2013, to manage the Protective Zones around a select number of Serbian Orthodox sites, held a number of sessions during the reporting period. It reviewed various cases, related mainly to illegal construction and recommended corrective measures in some of the Special Protective Zones. It also mediated between the Serbian Orthodox Church and local officials, as necessary.

47. During the reporting period, the restoration of tombstones, destroyed or damaged in January at Serbian Orthodox cemeteries in eight municipalities across Kosovo, was completed with public funds provided by the Kosovo authorities. The repairs were carried out in coordination with the Serbian Orthodox Church and the families affected.

VIII. Human rights

48. The United Nations High Commissioner for Human Rights, Navanethem Pillay, visited Kosovo on 19 and 20 June. During her visit, she met, together with my Special Representative, the United Nations Development Coordinator, and the head of the stand-alone office in Kosovo of the United Nations Office of the High Commissioner for Human Rights (OHCHR), with Kosovo officials, the Ombudsperson and representatives of civil society and international community. The High Commissioner positively assessed the legal and institutional framework for human rights protection in Kosovo, while pointing out that its enforcement remains insufficient. She stressed the importance of ensuring an independent judiciary, addressing lengthy pretrial detention, the backlog of cases and the lack of trust in the judiciary, and pointed out some issues of concern, in particular in relation to the adoption of the amnesty law. While encouraging the mainstreaming of human rights into the dialogue between Belgrade and Pristina, the High Commissioner offered the support of OHCHR in Kosovo in ensuring that the Kosovo legislation was in line with international human rights standards.

49. On 10 June, the stand-alone office in Kosovo of OHCHR released a study entitled "Healing the spirit: reparations for survivors of sexual violence related to the armed conflict in Kosovo". The study revealed that nearly 14 years after the end of the conflict, survivors of sexual violence still suffer from social and psychological problems, which are exacerbated by the lack of income-generating opportunities and affordable medical and mental health care. One of the recommendations of the study is to include the survivors of sexual violence committed during the conflict in the framework of the Law on the Status and Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims of War and Their Families. UNMIK is working closely with local and international actors to encourage the Kosovo authorities to address the issues raised in the study.

50. UNMIK continued its cooperation with the Council of Europe in monitoring the implementation of the Framework Convention for the Protection of National Minorities in Kosovo. In May, the Council of Europe and the European Union

presented the findings of the research project entitled "Main challenges and opportunities in the effective protection and promotion of community rights in Kosovo". The study identified the lack of institutional clarity and weak intragovernmental coordination and capacity as key challenges. UNMIK and its partners are exploring ways to help address these challenges in the near future.

51. Following its submission in February 2013 of the report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women in Kosovo for the period 1999-2007, UNMIK has been following up on a number of requests from the Committee on the Elimination of Discrimination against Women for additional information. The Kosovo authorities have demonstrated increased willingness to cooperate with UNMIK in preparation of these reports.

IX. Observations

52. During the past months, the positive steps taken by both Belgrade and Pristina in the framework of the European Union-facilitated dialogue have resulted in historic agreements and fundamental progress towards normalization of relations. I welcome the decision of the European Council during its meeting on 27 and 28 June, which reaffirmed the European perspective for the region in keeping with the important strategic commitments made at the European Union summit at Thessaloniki in June 2003.

53. I commend once again the leadership in both Pristina and Belgrade for demonstrating a serious and steadfast commitment to this dialogue. Despite inevitable challenges, both sides have demonstrated vision and capacity to steward this process and build upon the progress achieved to date. This should contribute to the improvement of lives of the local population in Serbia and Kosovo and to greater stability in the region.

54. As indicated in the report, the implementation of the Belgrade-Pristina agreements in northern Kosovo remains a key challenge. Belgrade's engagement with the Kosovo Serbs in this regard remains important. These efforts should be supplemented by Pristina's outreach and assurances to the local population. In order to avoid tensions and achieve success, it is important that the local Kosovo Serbs see themselves as stakeholders in the process. I am pleased that UNMIK is stepping up its efforts and engagement with all appropriate stakeholders on key issues on the ground.

55. It is also essential that the international presences in Kosovo continue to enhance mutual cooperation in order to help set appropriate conditions for the forthcoming and more challenging stages of implementation of the 19 April agreement. I wish to pay tribute to my Special Representative and leaders of other international missions on the ground for working consistently to ensure unity of purpose.

56. The support of the international community to the parties and its engagement in Kosovo remains essential. Beyond their operational support to the political process and the practical implementation of the European Union-facilitated agreements, it is also important that the international community remain committed to addressing the needs of all communities in Kosovo, advancing reconciliation and helping heal the scars of the past conflict. Unresolved legacies of the conflict, including unsolved cases of missing persons, and bringing to account all those

responsible for war crimes and other criminal acts, should remain key priorities. I call on all stakeholders involved in Kosovo to redouble their efforts to accelerate progress in these areas.

57. I thank my Special Representative, Farid Zarif, for his effective and forward-looking leadership of UNMIK during this critical period of engagement between the parties, all UNMIK staff for their dedication in carrying out the tasks of the Mission in support of the broader political process, and all members of the United Nations family for their contribution to consolidating peace and stability in Kosovo.

58. I also extend my gratitude to long-standing partners on the ground, such as the European Union, KFOR, NATO and OSCE, for their contribution and cooperation with UNMIK.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued its monitoring, mentoring and advising activities in the rule of law sector and to implement its executive functions, according to its mandate. One high-profile war crimes case was adjudicated while two others are ongoing. The arrest of seven war crimes suspects of the so-called Drenica Group triggered strong reactions among war veterans associations and politicians alike. A mixed panel of one local and two EULEX judges at Pristina Basic Court found five persons guilty in the "Medicus" illicit organ-trafficking case. Several severe prison sentences were pronounced in corruption and murder cases. The Special Investigative Task Force has continued working pursuant to its mandate to investigate allegations contained in the report by the Council of Europe Special Rapporteur, Dick Marty, on illicit trafficking in human organs. The Task Force has been strengthened institutionally and operationally during the reporting period. In terms of the agreements within the European Union-facilitated dialogue on the normalization of relations between Pristina and Belgrade, EULEX stands ready to facilitate its implementation in the rule of law sector. Implementation of the integrated border management agreement is progressing; all six crossing points are being run in a spirit of good cooperation.

2. EULEX Activities, April to July 2013

General

The regular meeting of the Joint Rule of Law Coordination Board, consisting of the representatives of the Kosovo authorities, the European Union Office in Kosovo/European Union Special Representative and EULEX, was held on 23 May in the European Union Office building in Pristina. The Board continues to be the main forum for assessing progress in the rule of law arena between the European Union and the Kosovo authorities. During the meeting, the Board endorsed a lessons learned document on a first transition from EULEX to Kosovo authorities, of the Financial Intelligence Centre, and discussed the implementation of other road maps, such as the one for the establishment of a prisoner escort in the north of Kosovo and the witness protection unit in Kosovo. The Board tasked the experts on both sides to come up with new road maps, and agreed on a set of indicators designed to measure corruption presented by EULEX.

On 6 and 7 June the Head of Mission visited Belgrade, where he held meetings with Prime Minister Ivica Dačić and other Government officials. During the meetings, the Serbian officials emphasized the importance of the EULEX role and encouraged strengthened cooperation.

War crimes

On 17 April, a panel of three EULEX judges at Mitrovica Basic Court acquitted Jovica Dejanović of the criminal offence of rape as a war crime. Đorđe Bojković, a co-defendant, was acquitted of the charge of war crimes, but was sentenced to a suspended prison sentence of one year and six months for unauthorized ownership, control, possession or use of weapons.

On 18 April, a panel of one local and two EULEX judges started the opening session in the retrial of Fatmir Limaj et al. ("Kleçka/Klečka" war crimes case). On 19 April, the EULEX presiding judge issued an order extending house detention for all 10 co-defendants until 19 June. Subsequently, Fatmir Limaj et al. were returned to house detention for another two months. On 4 July, the trial panel at Pristina Basic Court ordered the release from house detention of all 10 defendants, but on 15 July the Court of Appeals once more ordered the defendants to be put under house arrest.

On 24 April, EULEX prosecutors formally initiated the investigation into war crimes committed in and around Mejë/Meja in the municipality of Gjakovë/ Djakovica. So far, prosecutors have identified approximately 20 defendants suspected of war crimes against the Kosovo Albanian population, including the killings of 372 victims.

On 23 May, EULEX police, in coordination with the Kosovo police, arrested seven persons (including the Kosovo Ambassador to Albania Sylejman Selimi and the Mayor of Skenderaj/Srbica Sami Lushtaku) on charges of war crimes committed at a Kosovo Liberation Army (KLA) detention centre ("Drenica group" case). On 24 May, a EULEX judge from Pristina Basic Court ordered house detention for the period of one month for all of them. On 1 June, the Court of Appeals in Pristina modified the decision to detention on remand. The main reason for ordering detention on remand is the danger of obstructing the criminal proceedings by influencing witnesses.

On 7 June a verdict was pronounced in the prominent war crimes case of the so-called "Llapi group". A panel of one local and two EULEX judges sentenced Latif Gashi (current Member of Parliament) to six years of imprisonment, while his co-defendants, Nazif Mehmèti and Rrustem Mustafa, received sentences of three years and four years, respectively.

On 4 June, EULEX police arrested Shefki Hyseni, charged with rape as a war crime. He is in detention on remand.

The war crimes trial against Sabit Geci et al. continues. All three defendants were arrested on 15 November 2012 and are presently in house detention. They are accused of killing two Kosovo Albanians during the conflict in 1999.

Organized crime and corruption

On 17 April, EULEX filed an indictment against a Kosovo Albanian charged with unauthorized distribution and sale of narcotic drugs, organized crime and unauthorized possession of weapons. The defendant had been arrested in October 2012 as part of a joint operation between EULEX and the Kosovo police.

On 19 April, EULEX filed an indictment at Prizren Basic Court against an individual charged with organized crime and smuggling of migrants. The defendant

was arrested in April 2012 as part of a joint operation between EULEX and the Kosovo police. He is also alleged to be a key member and organizer of a transnational criminal group that operates throughout the Balkans and in Turkey, Hungary, Austria, Italy, Slovenia, Croatia, France, Germany, Greece, the Czech Republic and Slovakia. The defendant was arrested during the so-called Fimathu operation, which was conducted on 29 January 2013 under the umbrella of the European Union Police Office (EUROPOL). During that operation, 103 suspects were arrested in 10 countries and 117 searches were conducted. Three persons were also arrested in Kosovo on the same European common action day; 12 others of the same criminal network had already been arrested in Kosovo in 2011 and 2012. Indictments against three other defendants were filed in December 2012 and February 2013.

On 19 April, a EULEX judge ordered house detention for one month against five suspects and ordered five other suspects to report to the police station once a week for a month. The suspects, who were arrested during an operation led by the Kosovo police, are being investigated, inter alia, for corruption and organized crime. The allegations against them relate to the making of an unlawful bid for land that was sold off by the Privatization Agency of Kosovo in 2009.

On 29 April, a mixed panel of one local and two EULEX judges at the Pristina Basic Court found five persons guilty in the Medicus case. Lutfi Dervishi was found guilty on charges of organized crime and trafficking in persons. He was sentenced to eight years imprisonment. His son Arban Dervishi was sentenced to seven years and three months. The three other defendants were sentenced to prison terms between one and three years.[1] On 30 April, the Special Prosecution Office of Kosovo filed an order to conduct investigations against eight suspects for organized crime, trafficking in persons, grievous bodily harm, abusing official position of authority, fraud and trading in influence. The investigations are connected to the Medicus case. There are grounded suspicions that the above-mentioned suspects acted in co-perpetration or were directly or indirectly instrumental to the members of the criminal organized group in the commission of serious offences; that is, trafficking in persons for the purpose of organ removal.

On 5 June, a joint search operation was carried out by EULEX police and Kosovo police in relation to the so-called passport case. The search was ordered as part of the investigation into the theft of 1.4 million euros that occurred in the context of a contract for biometric passports at the Ministry of Internal Affairs. The existing investigation has been expanded to include new charges and seven new defendants. The defendants are now being investigated in relation to, inter alia, organized crime and money-laundering.

On 7 May, EULEX police arrested Naser Kelmendi, a fugitive from justice in Bosnia and Herzegovina. He had been previously arrested by the Kosovo police, but had to be released after 48 hours because Kosovo does not have an extradition agreement with Bosnia and Herzegovina. On 9 May, Kelmendi was placed in detention on remand. On 13 May, his son, Elvis Kelmendi, who was prosecuted by a mixed team of EULEX and local prosecutors, was sentenced to four years

[1] Upon the public announcement of the judgment, both the defence and the prosecution announced the appeal.

imprisonment for attempted murder in Bosnia and Herzegovina by a panel of three Kosovo judges.

On 23 May, a three-judge panel presided over by a EULEX judge sentenced former Head of the Anti-Corruption Task Force of the Special Prosecutor Office of Kosovo, Nazmi Mustafi, to five years imprisonment on corruption charges. His three co-defendants received sentences ranging from six months to four years.

On 14 June, a mixed panel of one local and two EULEX judges sentenced Kolë Puka (a former judge) to 11 years and 6 months and Avdullah Robaj to one-and-a-half years of imprisonment for corruption.

On 18 June, Ilir Tolaj (former Permanent Secretary of the Ministry of Health) was sentenced to 18 months of imprisonment for his involvement in the so-called Ministry of Health case; Bujar Bukoshi (former Deputy Prime Minister) was acquitted.

On 28 June, a panel of EULEX and Kosovo judges acquitted five defendants in the so-called PTK case. The defendants had been charged, inter alia, with abusing official position.

On the same day a panel of three local judges from Pristina Basic Court formally accepted three plea agreements in a migrant smuggling case. A fourth defendant pleaded guilty in court. All charges relate to smuggling and attempted smuggling of migrants to the United States of America between 2009 and 2011. One defendant was acquitted, while the other three received sentences ranging from 16 to 22 months of imprisonment. Another perpetrator related to this case was arrested in Albania in 2012 and extradited to the United States, where he also pleaded guilty. The case was prosecuted in a mixed team by a EULEX prosecutor and a local prosecutor from the Pristina Basic Prosecution Office.

Other key cases

On 23 May, Mitrovica Basic Court pronounced a judgment in a murder case. The three EULEX judges sentenced Agron Miftari to 11 years imprisonment for the murder of a 23-year-old man in Mitrovica.

A panel of two EULEX judges and a local judge continued the trial against Valon Jashari et al. The case involves multiple defendants and charges of terrorism related to attacks against Serbs in 2012 at the crossing point near Dobrosin, about 13 km from Gjilan/Gnjilane.

On 5 June, a mixed panel of EULEX and Kosovo judges acquitted all five defendants in the so-called Balkan Investigative Reporting Network case, where threats were made to the life of a journalist. Sami Lushtaku, Rexhep Hoti, Avni Azemi, Rizah Hajdari and Qani Mehmedi had been charged with violating equal status of residents of Kosovo and threats.

On the same day, a panel of three EULEX judges at Mitrovica Basic Court delivered a verdict in the murder case of Goxhuli et al. One defendant was acquitted, while the three others received sentences ranging from 1 to 20 years of imprisonment.

On 27 June, the Kosovo police arrested two suspects in the investigation into the murder of Palush Sokoli in 1999. Sokoli, who was disabled, was allegedly taken

from his house and later found dead in the Pejë/Peć region. The autopsy performed at the Department of Forensic Medicine found signs of a gunshot injury. The case is being investigated by a mixed team of EULEX and Kosovo prosecutors.

On 3 July, Nazim Bllaca pleaded guilty to the commission of aggravated murder. The verdict is scheduled to be announced on 19 July.

Special Investigative Task Force

The Special Investigative Task Force continued its active operational work investigating the allegations contained in the January 2011 report by the Council of Europe Special Rapporteur, Dick Marty, entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo". These criminal allegations include abduction, detention, mistreatment and killings, as well as the much-publicized allegations of organ harvesting and trafficking.

During the reporting period, the Special Investigative Task Force continued its strong cooperation with judicial and law-enforcement authorities in the region, which has led to good progress in its investigative and operational activities. As in the last reporting period, activities focused on engagement with injured parties, victims groups and individuals in order to gather information relevant to the investigation.

With respect to staffing, additional staff joined the team, including two additional operational and one additional administrative staff. All are critical to ensuring that necessary logistics are in place for the extensive staff movements currently under way and that the Special Investigative Task Force has the ability to effectively collect, analyse and process the information being gathered through witness interviews.

Over the last quarter, Lead Prosecutor Clint Williamson continued his visits to ensure ongoing political and operational support of Governments, the European Union and international organizations. In late April he travelled to Kosovo and met with Deputy Prime Minister and Minister of Justice Hajredin Kuçi, Head of UNMIK and Special Representative of the Secretary-General Farid Zarif, European Union Special Representative and Head of the European Union Liaison Office in Kosovo Samuel Žbogar, and senior EULEX and NATO officials. Deputy Prime Minister Kuçi reiterated Kosovo's support for a full criminal investigation under the auspices of the Special Investigative Task Force.

Williamson also travelled to Belgrade in late April, meeting with Prime Minister Ivica Dačić, War Crimes Prosecutor Vladimir Vukčević and the local association for missing persons. The Prime Minister assured his support and that of other Government institutions for the Special Investigative Task Force. Williamson noted that he enjoys a strong cooperative working relationship with the Serbian War Crimes Prosecutor, and reiterated that the Task Force is looking at a range of crimes committed, which includes but is not limited to organ trafficking. During an emotional, but positive meeting with representatives of the local association for missing persons, Williamson described the mandate of the Task Force and expressed his interest to try to resolve as many cases as possible. Williamson thanked the association for its support and willingness to encourage their members to come forward and cooperate with the Task Force.

Property rights

The Kosovo Property Claims Commission held one session. It adjudicated 667 mainly inter-ethnic property claims. The total number of adjudicated claims stands at 38,089 with 4,355 still to be resolved.

From 16 April until 25 June 2013, the Kosovo Property Agency Appeals Panel received 41 new appeals and adjudicated 37 appeals.

During the reporting period, the Special Chamber of the Supreme Court rendered 306 decisions in trial panel cases. The Special Chamber also closed 32 workers list cases (comprising 819 individual workers' complaints) and finalized 65 cases at the Appellate Panel level.

Legislation

On 6 June, the Assembly voted to withdraw the draft law on interception of telecommunications. EULEX had advised that the law went against best European practices and had advocated for its amendment.

On 27 June, the Assembly, by a two-thirds majority, adopted a law on the ratification of the "First agreement of principles governing the normalization of relations".

On 25 June, the authorities in Pristina approved the draft Law on Amnesty. The law was discussed at the plenary session of the Assembly on 4 July, but failed to receive the necessary number of votes for its adoption and was returned for amendments. A new version of the law was approved by the authorities on 5 July. On 11 July, the law was finally adopted by the Kosovo Assembly. The law represents a crucial step towards the implementation of the dialogue agreement.

Other key issues

The arrests of seven persons on charges of war crimes on 23 and 24 May, and the subsequent house detention ordered by a EULEX judge on 24 May, triggered a variety of reactions. The arrested persons — the "Drenica Group" — were identified by media as having exerted considerable influence over the Drenicë/Drenica region during the Kosovo conflict and in its aftermath. In a strong response to the arrests, several war veterans associations called for an end to the EULEX mandate. On 27 May, the associations organized a protest that was attended by approximately 5,000 persons; the protest ended peacefully. On the political level, Vetëvendosje fiercely criticized the arrests and reiterated its position against the continuation of international presence in Kosovo, which, in the view of Vetëvendosje, infringes on Kosovo sovereignty. The Ministry of Foreign Affairs issued a statement expressing belief in the innocence of one of the accused. Also, the President of the Assembly and a number of Assembly members publicly criticized EULEX and stated that the Mission was not neutral.

The Kosovo authorities stated that it believes "in the fair fight of KLA commanders and fighters, the fight of Kosovo for freedom, independence, a democratic state and a close partnership with the international community, with the United States, the European Union and NATO". The majority of political parties (Democratic Party of Kosovo, Democratic League of Kosovo, Alliance for the Future of Kosovo), echoed the statement expressing their belief that "the KLA war

was just and the accused people are innocent". The Court of Appeal took public statements on the above-mentioned case into account in issuing its ruling on 31 May. More specifically, the Court ruled that "critical public statements" qualified as "unconstitutional interference with the judiciary" and that it constituted "unacceptable attempts to intimidate prosecutors and judges involved in the case".

The Vidovdan (St. Vitus Day) celebrations on 28 June passed with only minor security incidents. The religious service at Gazimestan was attended by approximately 3,000 people. The two incidents of stones thrown at buses carrying pilgrims and one at a regular service bus carrying Kosovo Albanian passengers were regrettable, but the Kosovo police response was appropriate. EULEX worked with the Kosovo police to ensure that celebrations took place in a safe and secure environment and to safeguard respect for human and fundamental rights.

The unfixing process of the Pejë/Peć Patriarchate is ongoing, and a number of meetings with relevant stakeholders took place throughout June. The Kosovo police, in consultation with the Kosovo Force, is responsible for reviewing the threat assessment upon which the Kosovo police resource levels will be based.

The north

In terms of security incidents, the relative paucity, amid political developments, was interrupted on two occasions. On 16 April, unknown person(s) fired at a building in Zubin Potok that houses the local radio station "Kolašin" and where the station owner lives. On 18 June, an unidentified explosive device was thrown by unknown suspect(s) in a neighbourhood of northern Mitrovica damaging three vehicles and windows of buildings nearby. No injuries were reported.

Dialogue implementation

The large-scale project to implement the European Union-facilitated dialogue agreement between Belgrade and Pristina on civil registry books is running at a normal pace without significant difficulties. On 5 April, the second extraordinary Project Steering Committee meeting took place in Niš, southern Serbia, in order for all parties to agree on increasing the project's capacity and extending its duration. There was an agreement to hire 40 additional staff, and to have a second shift of five additional working hours a day. The project involving EULEX, the European Union Office in Kosovo/European Union Special Representative, the Danish Refugee Council and the teams from Kosovo and Serbia is expected to be completed in mid-March 2014. During April, the project was focused on the civil registry books for Pristina and Podujevë/Podujevo. In May and June, the project focused on the municipalities of Podujevë/Podejuvo, Gjilan/Gnjilane and Kamenicë/Kamenica. Upon the request of the Serbian delegation, EULEX now provides certification on a weekly basis when there is a sufficient number (approximately 180) of civil registry books ready for certification. During the reporting period, a total of 2,932 civil registry books were certified. This brings the total handover number to 4,770. All preparations to start the hardcover binding of certified copies of civil registry books have been completed.

The implementation of the integrated border management agreement is also progressing. All six crossing points are being run in a spirit of good cooperation. In addition, local (weekly) and regional (monthly) meetings are being held in line with the action plan, and the locations alternate between Kosovo and Serbia. One of the

main agenda points is the commitment from both sides to introduce "easing of traffic" procedures for the busy summer season. On 5 June, an agreement was reached to harmonize operational plans. Both sides will ensure facilitation of movement of travellers, and an information campaign will notify travellers that Mutivodë/Mutivode (ex-gate 4) may be used as an alternative crossing point to the long waiting times at Merdarë/Merdare (ex-gate 3).

An implementation group meeting held in Brussels on 25 April discussed a number of issues, including permanent crossing points, the state of play of the interim crossing points, phytosanitary and veterinary procedures, mutual legal assistance and implementation of the freedom of movement agreement.

The freedom of movement agreement is fully implemented at the crossing points in the southern part of Kosovo.

Starting on 20 June, Kosovo customs and police officers have concluded successful daily shift rotations to the Rudnica/Jainjë (ex-gate 1) crossing point by road. However, rotations to Běrnjak/Tabalije (ex-gate 31) are still carried out by helicopter.

EULEX representatives verified the closure of the Serbian Ministry of the Interior premises in Leposavić/Leposaviq on 14 June, Zvečan/Zveçan on 21 June and Zubin Potok on 26 June. The closure of the Serbian Ministry of the Interior premises in northern Mitrovica was verified on 5 July. Also in June, the new regional police commander for Kosovo's north assumed his post, in accordance with the Belgrade-Pristina agreement on normalization of relations.

With regard to the procedures on mutual legal assistance, Pristina continues to send requests for mutual legal assistance through EULEX to Belgrade. However, since the procedures came into force, Belgrade has sent only one request through EULEX to Pristina. Moreover, Belgrade has not responded to any request from Pristina since the entry into force of the procedures on 20 March.

Approved by Bernd Borchardt
Head of Mission

Annex II

Composition and strength of the police and military components of the United Nations Interim Administration Mission in Kosovo (as at 15 July 2013)

Police component

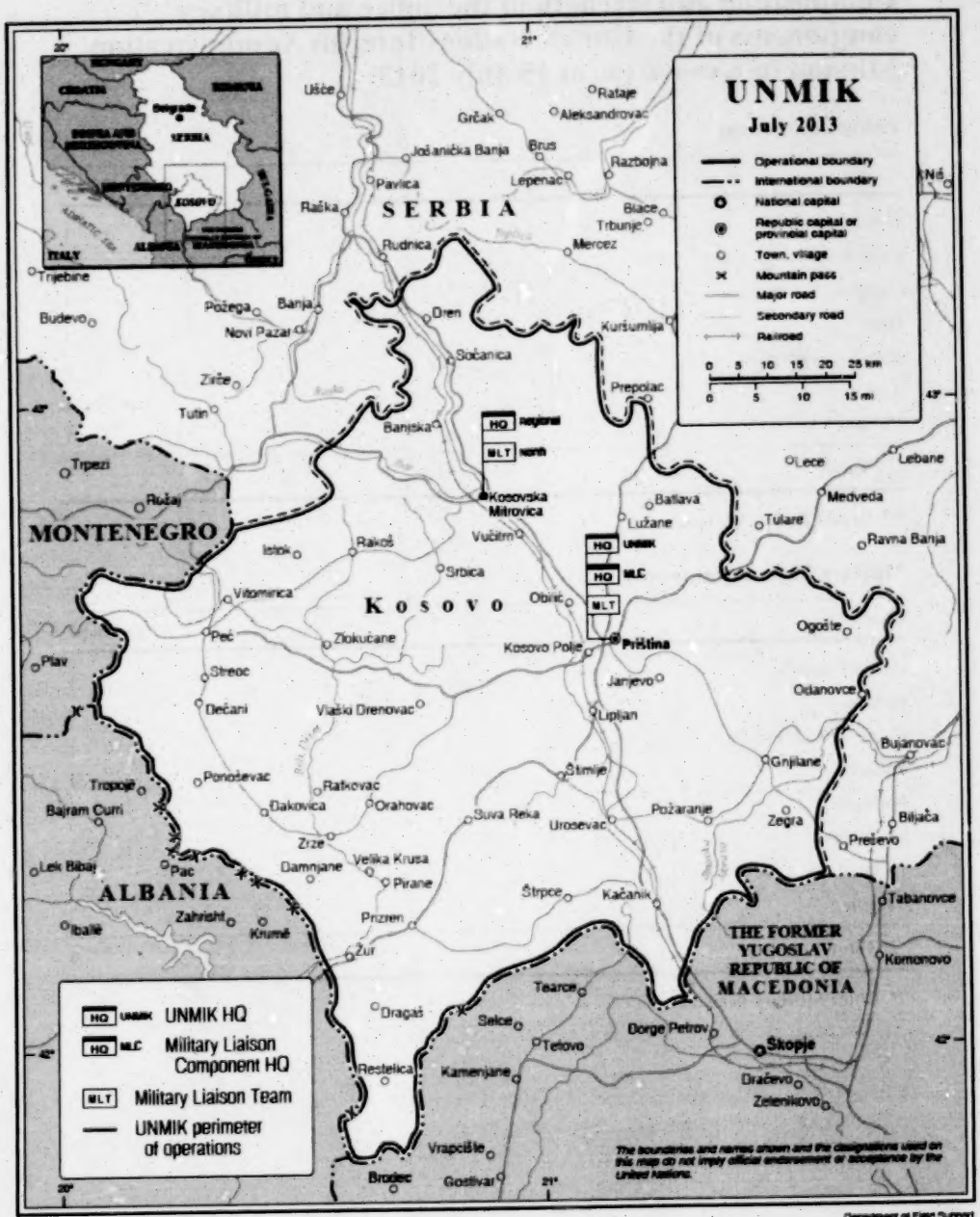
Country	*Number*
Croatia	1
Germany	1
Hungary	1
Italy	1
Russian Federation	1
Turkey	1
Ukraine*	1
Total	**7**

* Senior Police Adviser.

Military liaison component

Country	*Number*
Czech Republic	1
Norway	1
Republic of Moldova	1
Poland	1
Portugal*	1
Romania	1
Turkey	1
Ukraine	2
Total	**9**

* Chief Military Liaison Officer.


UNMIK
July 2013
Operational boundary
International boundary
National capital
Republic capital or provincial capital
Town, village
Mountain pass
Major road
Secondary road
Railroad
SERBIA
MONTENEGRO
Kosovo
ALBANIA
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Priština
Kosovska Mitrovica
UNMIK HQ
Military Liaison Component HQ
Military Liaison Team
UNMIK perimeter of operations
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
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Security Council

Distr.: General
30 July 2013

Original: English

Togo, United Kingdom of Great Britain and Northern Ireland, United States of America and France: draft resolution

The Security Council,

Recalling its previous resolutions, in particular resolutions 1933 (2010), 1942 (2010), 1951 (2010), 1962 (2010), 1967 (2011), 1968 (2011), 1975 (2011), 1980 (2011), 1981 (2011), 1992 (2011), 2000 (2011), 2062 (2012) and 2101 (2013) and the statements of its President relating to the situation in Côte d'Ivoire, resolution 2066 (2012) on the situation in Liberia and resolution 2100 (2013) on the situation in Mali,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Taking note of the final report of the Secretary-General of 26 June 2013 (S/2013/377) and the special report of the Secretary-General of 28 March 2013 (S/2013/197),

Welcoming the overall progress towards restoring security, peace and stability in Côte d'Ivoire, *commending* President Alassane Ouattara's continued efforts to stabilize the security situation and accelerate economic recovery in Côte d'Ivoire and strengthen international and regional cooperation, notably enhanced cooperation with the governments of Ghana and Liberia, and *calling upon* all national stakeholders to work together to consolidate the progress made so far and to address the underlying causes of tension and conflict,

Welcoming the successful holding of the regional and municipal elections on 21 April 2013 while regretting the decision of the former ruling party and other political opposition parties to boycott them, and *emphasizing* that this process demonstrated the increasing capacity of the national authorities, including the security forces, to assume responsibility for organizing and safeguarding the voting process,

Welcoming the return of the majority of persons displaced by the post-elections crisis to their places of origin in Côte d'Ivoire, as well as President Alassane Ouattara's calls on refugees to return to the country, *affirming* that refugee returns should be voluntary and occur under conditions of safety and dignity, *strongly condemning* all intimidation, threats and attacks committed against refugees, returnees and internally displaced persons in Côte d'Ivoire, and *further condemning*

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the cross-border attacks in March 2013 which resulted in the temporary displacement of an estimated 8000 persons, including 500 to Liberia,

Recalling that the Government of Côte d'Ivoire bears primary responsibility for ensuring peace, stability and the protection of the civilian population in Côte d'Ivoire,

Noting the improvement in the security situation in Côte d'Ivoire while *remaining concerned* about its continued fragility, in particular along the border with Liberia,

Reiterating its concern with the unresolved key challenges of disarmament, demobilization and reintegration (DDR) and security sector reform (SSR), as well as the continued circulation of weapons, which continue to pose risks to the security and stability of the country, particularly in western Côte d'Ivoire,

Emphasizing the urgent need for the Government to accelerate the training and equipping of its security forces, especially the police and gendarmerie with standard policing weapons and ammunition,

Expressing its concern about the continued reports, including those reported by the Secretary-General in his report of 26 June 2013 (S/2013/377), of human rights abuses and violations of international humanitarian law, including against women and children and the reports of increased incidents of sexual violence in particular those attributed to armed men, *stressing* the importance of investigating such alleged violations and abuses, including those that occurred throughout the post-elections crisis committed by all parties, irrespective of their status or political affiliation, *reaffirming* that those responsible for such violations must be held accountable and brought to justice irrespective of their political affiliation, while respecting the rights of those in detention and *while acknowledging* President Alassane Ouattara's commitments in this regard, *urging* the Government to increase and expedite its efforts to combat impunity,

Reiterating the vital role of women in conflict resolution and peacebuilding, the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and their key role in re-establishing the fabric of societies recovering from conflict, and *further reaffirming* the importance of implementing the Côte d'Ivoire National Action Plan for the implementation of resolution 1325 (2000) adopted in 2008,

Taking note that, on the basis of the declaration lodged by Côte d'Ivoire accepting the jurisdiction of the International Criminal Court, the Pre-Trial Chamber authorized the Prosecutor of the International Criminal Court to open an investigation into crimes within the Court's jurisdiction committed in Côte d'Ivoire since 28 November 2010, including war crimes and crimes against humanity, and the Pre-Trial Chamber of the Court later decided to expand the Prosecutors' investigation to crimes committed in Côte d'Ivoire since 19 September 2002,

Taking note of the ratification of the Rome Statute of the International Criminal Court by Côte d'Ivoire on 15 February 2013,

Commending the contribution of troop- and police-contributing countries and donors to the United Nations Operation in Côte d'Ivoire (UNOCI), *underlining* the importance of providing police officers qualified with appropriate specialist and linguistic skills, *commending* the work of UNOCI, under the leadership of the

Special Representative of the Secretary-General, for its continuing contribution to maintaining peace and stability in Côte d'Ivoire, and *noting with satisfaction* the continued and increased cooperation between the United Nations Mission in Liberia (UNMIL) and UNOCI, as well as the Governments of Côte d'Ivoire and Liberia and countries in the subregion, in coordinating security activities in the border areas in the subregion,

Expressing its appreciation for the work of Mr. Albert Gerard Koenders as Special Representative of the Secretary General for Côte d'Ivoire and Head of UNOCI, and *welcoming* the appointment of his successor, Mrs. Aïchatou Mindaoudou Souleymane,

Commending the African Union and the Economic Community of West African States (ECOWAS) for their efforts to consolidate peace and stability in Côte d'Ivoire, and *encouraging* them to continue to support the Ivoirian authorities in addressing key challenges, especially the underlying causes of conflict and insecurity in the border area, including the movement of armed elements and weapons, and promoting justice and national reconciliation,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 30 June 2014 the mandate of UNOCI;

2. *Decides* that UNOCI's uniformed personnel shall be reconfigured by 30 June 2014 so that UNOCI shall consist of up to 7137 military personnel, comprising 6945 troop and staff officers as well and 192 military observers;

3. *Affirms its intention* to consider a further reduction so that UNOCI shall consist of up to 5437 military personnel by 30 June 2015, based on the evolution of security conditions on the ground and an improved capacity of the Government of Côte d'Ivoire to gradually take over UNOCI's security role;

4. *Decides* that the authorized strength of UNOCI's police component shall remain at 1,555 personnel, and *further decides* to maintain the 8 customs officers previously authorized;

5. *Decides* that UNOCI shall reconfigure its military presence to concentrate resources in high-risk areas in order to implement effectively its mandate to assist the Government in protecting civilians and stabilizing the security situation in the country, including by increasing resources in western Côte d'Ivoire and other sensitive areas while reducing them elsewhere, where possible;

6. *Decides* that the mandate of UNOCI shall be the following:

(a) *Protection of civilians*

– To protect, without prejudice to the primary responsibility of the Ivoirian authorities, the civilian population from imminent threat of physical violence, within its capabilities and areas of deployment,

– To implement the comprehensive strategy for the protection of civilians in coordination with the United Nations Country Team (UNCT),

– To work closely with humanitarian agencies, particularly in relation to areas of tensions and with respect to the return of displaced persons, to collect information on and identify potential threats against the civilian population, and bring them to the attention of the Ivoirian authorities as appropriate,

(b) *Address remaining security threats and border-related challenges*

– To support, within its existing authorities, capabilities, and its areas of deployment, the national authorities in stabilizing the security situation in the country,

– To monitor and deter the activities of militias, mercenaries and other illegal armed groups and to support the Government in addressing border security challenges consistent with its existing mandate to protect civilians, including cross-border security and other challenges in the border areas, notably with Liberia, and to this end, to coordinate closely with UNMIL in order to further inter-mission cooperation, such as through undertaking coordinated patrols and contingency planning where appropriate and within their existing mandates and capabilities,

– To liaise with the Forces Républicaines de Côte d'Ivoire (FRCI) in order to promote mutual trust among all elements composing the FRCI,

– To support the Ivoirian authorities, as necessary, in the provision of security for members of the Government and key political stakeholders, until 31 December 2013, at which date this task shall be transferred wholly to the Ivoirian security forces,

(c) *Disarmament, demobilization and reintegration programme (DDR) and collection of weapons*

– To assist the Government, in close coordination with other bilateral and international partners, in implementing without further delay the new national programme for the disarmament, demobilization and reintegration of former combatants and dismantling of militias and self-defence groups, taking into account rights and needs of the distinct categories of persons to be disarmed, demobilized and reintegrated, including children and women,

– To support the registration and screening of former combatants and assist in assessing and verifying the reliability of the listings of former combatants,

– To support the disarmament and repatriation of foreign armed elements, where relevant in cooperation with UNMIL and United Nations Country Teams in the region,

– To assist the national authorities, including the National Commission to fight against the Proliferation and Illicit Traffic of Small Arms and Light Weapons, in collecting, registering, securing and disposing of weapons and in clearing explosive remnants of war, as appropriate, in accordance with resolution 2101 (2013),

– To coordinate with the Government in ensuring that the collected weapons are not disseminated or re-utilized outside a comprehensive national security strategy, as referred to in point (d) below,

(d) *Reconstitution and reform of security institutions*

– To assist the Government in implementing, without delay and in close coordination with other international partners, its comprehensive national security strategy,

– To support the Government in providing effective, transparent and harmonized coordination of assistance, including the promotion of a clear division of tasks and responsibilities, by international partners to the security sector reform (SSR) process,

– To advise the Government, as appropriate, on security sector reform and the organization of the future National Army, to facilitate the provision of training, within its current resources and as requested by the Government and in close coordination with other international partners, in human rights, child protection and protection from sexual and gender-based violence to the security and law enforcement institutions, as well as capacity-building support by providing technical assistance, co-location and mentoring programmes for the police, gendarmerie, justice and corrections officers and to contribute to restoring their presence throughout Côte d'Ivoire and to offer support to the development of a sustainable vetting mechanism for personnel that will be absorbed into security sector institutions,

(e) *Monitoring of the arms embargo*

– To monitor the implementation of the measures imposed by paragraph 7 of resolution 1572 (2004), in cooperation with the Group of Experts established under resolution 1584 (2005), including by inspecting, as they deem it necessary and when appropriate without notice, all weapons, ammunition and related materiel regardless of location, consistent with resolution 2101 (2013),

– To collect, as appropriate, arms and any related materiel brought into Côte d'Ivoire in violation of the measures imposed by paragraph 7 of resolution 1572 (2004), and to dispose of such arms and related materiel as appropriate,

(f) *Support for compliance with international humanitarian and human rights law*

– To contribute to the promotion and protection of human rights in Côte d'Ivoire, with special attention to grave violations and abuses committed against children and women, notably sexual- and gender-based violence, in close coordination with the Independent Expert established under the Human Rights Council's resolution A/HRC/17/27,

– To monitor, help investigate, and report to the Council, on abuses and violations of human rights and violations of international humanitarian law, including those against children in line with resolutions 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012), in order to prevent such abuses and violations and to end impunity,

– To bring to the attention of the Council all individuals identified as perpetrators of serious human rights violations and to keep the Committee, established pursuant to resolution 1572 (2004), informed of any significant developments in this regard when appropriate,

– To support the efforts of the Government in combating sexual- and gender-based violence, including through contributing to the development of a nationally owned multisectoral strategy in cooperation with UN Action Against Sexual Violence in Conflict entities,

– To provide specific protection for women affected by armed conflict, including through the deployment of Women Protection Advisors, to ensure gender expertise and training, as appropriate and within existing resources, in accordance with resolutions 1888 (2009), 1889 (2009),1960 (2010) and 2106 (2013),

(g) *Support humanitarian assistance*

– To facilitate, as necessary, unhindered humanitarian access and to help strengthen the delivery of humanitarian assistance to conflict-affected and vulnerable populations, notably by contributing to enhancing security for its delivery,

– To support the Ivoirian authorities in preparing for the voluntary, safe and sustainable return of refugees and internally displaced persons in cooperation with relevant humanitarian organizations, and in creating security conditions conducive to it,

(h) *Public information*

– To continue to use UNOCI's broadcasting capacity, through ONUCI FM, to contribute to the overall effort to create a peaceful environment, through the 2015 presidential elections,

– To monitor any public incidents of incitement to hatred, intolerance and violence, and bring to the attention of the Council all individuals identified as instigators of political violence, and to keep the Committee established under resolution 1572 (2004) informed of any significant developments in this regard, when appropriate,

(i) *Redeployment of State administration and the extension of State authority throughout the country*

– To support the Ivoirian authorities to extend effective State administration and strengthen public administration in key areas throughout the country, at the national and local level,

(j) *Protection of United Nations personnel*

– To protect United Nations personnel, installations and equipment, and ensure the security and freedom of movement of United Nations personnel,

7. *Authorizes* UNOCI to use all necessary means to carry out its mandate, within its capabilities and its areas of deployment;

8. *Decides* that the protection of civilians shall remain the priority of UNOCI, in accordance with paragraph 6 (a) above, and *further decides* that UNOCI shall put renewed focus on supporting the Government on DDR, collection of weapons and SSR, in accordance with paragraphs 6 (c) and (d) of this resolution, with the objective of gradually transitioning security responsibilities from UNOCI to the Government of Côte d'Ivoire;

9. *Encourages* UNOCI and the UNCT to continue redeploying their field presence in order to enhance their coordinated support to the local authorities throughout Côte d'Ivoire, in areas where civilians are at greater risk, in western Côte d'Ivoire and other sensitive areas;

10. *Requests* the Secretary-General to conduct a review of UNOCI's mandate by undertaking an analysis of the respective comparative advantages of UNOCI and the UNCT, and *further requests* the Secretary-General to report to the Council in his midterm report on its findings, including a detailed report and accompanying matrix reflecting the current division of labour between UNOCI and the UNCT, and recommendations, including for ONUCI-FM, pursuant to this review with a view to transfer to the UNCT those tasks where the UNCT has a comparative advantage or, where appropriate, to the Government, and *expresses its intention* to keep the mandate of UNOCI under review on the basis of this report;

11. *Noting with concern* the limited progress made by the Government in implementing its national DDR programme while recognizing the initial steps taken following the establishment of the Authorité du DDR (ADDR), *urges* the Government to implement expeditiously the disarmament and demobilisation of 30,000 former combatants by the end of 2013 and to complete the process by 2015 in accordance with the objective announced by President Alassane Ouattara of processing 65,000 former combatants and, in this regard, *emphasizes* the need to develop solutions for the sustained social and economic integration of former combatants, including former female combatants, and *further encourages* the UNCT to facilitate the planning and implementation of programmes which support this process, in consultation with UNOCI and the Government and in close collaboration with all international partners;

12. *Takes note* of the endorsement by the Government of a national security sector reform strategy in September 2012, and *urges* the Government to accelerate the implementation of this strategy, with a view to setting up inclusive and accountable security forces with the support of UNOCI, as consistent with its mandate in paragraph 6 (d) of this resolution, and other interested international partners, to take further steps to increase confidence within the respective security and law enforcement agencies and between them, and to restore State authority throughout the country;

13. *Reiterates its call* to the Government and all international partners, including private companies, involved in assisting the Government in the SSR process, to comply with the provisions of resolution 2101 (2013) and to coordinate their efforts with a view to promoting transparency and a clear division of labour between all international partners;

14. *Expresses its concern* at the lack of progress in pursuing a national reconciliation strategy, and *re-emphasizes* the urgent need for the adoption of concrete measures to promote justice and reconciliation at all levels and on all sides, including through the active involvement of women, civil society groups and the Dialogue, Truth and Reconciliation Commission, with the aim of addressing the underlying causes of the Côte d'Ivoire crisis;

15. *Strongly urges* the Government to ensure in the shortest possible timeframe that, irrespective of their status or political affiliation, all those responsible for serious abuses of human rights and violations of international

humanitarian law, including those committed during and after the post-electoral crisis in Côte d'Ivoire, are brought to justice in accordance with its international obligations and that all detainees receive clarity about their status in a transparent manner, and *urges* the Government to continue its cooperation with the International Criminal Court;

16. *Emphasizes*, in this regard, the importance of the work of the National Commission of Inquiry, to lasting reconciliation in Côte d'Ivoire, *welcomes* the public issuance of the conclusions of the National Commission of Inquiry on 8 August 2012, *calls for* the implementation and conclusion of related investigations, *further calls on* the Government to create the enabling environment to ensure that the work of the Ivoirian judicial system is impartial, credible, transparent and consistent with internationally agreed standards and, in this regard, *encourages* the Government to continue to support the effective operations of the Special Investigative Cell;

17. *Calls on* those responsible to cease committing acts of sexual and gender-based violence immediately, and further *calls upon* UNOCI, where consistent with its authorities and responsibilities, to continue to support national and international efforts to bring to justice perpetrators of grave abuses of human rights and violations of international humanitarian law in Côte d'Ivoire, irrespective of their status or political affiliation;

18. *Urges* the Government to take concrete and discernible steps to prevent and mitigate inter-communal violence by seeking a broad national consensus on addressing effectively identity and land tenure issues;

19. *Welcomes* the initiative taken by the Government to enhance political dialogue with the political opposition, including extra-parliamentary political parties, *calls on* the Government to continue to step up concrete measures in this regard and ensure political space and rights for the opposition, *further calls upon* all opposition parties to play a constructive role and contribute towards reconciliation, and *requests* the Special Representative of the Secretary-General to continue to use her good offices role including to facilitate dialogue between all political stakeholders;

20. *Encourages* the Ivoirian authorities to begin taking all necessary steps, in particular to undertake electoral reform, for the preparation of the 2015 presidential elections;

21. *Decides* to extend until 30 June 2014 the authorization that the Security Council provided to the French Forces in order to support UNOCI, within the limits of their deployment and their capabilities;

22. *Urges* all parties to cooperate fully with the operations of UNOCI and of the French Forces, which support it, in particular by ensuring their safety, security and freedom of movement with unhindered and immediate access throughout the territory of Côte d'Ivoire to enable them to fully carry out their mandates;

23. *Takes note* of the elaboration of the United Nations human rights due diligence policy, encourages UNOCI to implement it fully, and *requests* the Secretary-General to include progress made in implementing the policy in his reports to the Council;

24. *Welcomes* the continued cooperation between, and the conduct of coordinated activities by UNOCI and the FRCI and *calls for* strict adherence by the FRCI to international humanitarian, human rights and refugee laws and, in this context, recalls the importance of training in Human Rights, child protection and sexual and gender-based violence to security and law enforcement agencies;

25. *Calls on* the Governments of Côte d'Ivoire and Liberia to continue to enhance their cooperation, particularly with respect to the border area, including through increasing monitoring, information sharing and conducting coordinated actions, and in developing and implementing a shared border strategy to inter alia support the disarmament and repatriation of foreign armed elements on both sides of the border and the repatriation of refugees;

26. *Calls upon* all United Nations entities in Côte d'Ivoire and Liberia, including all components of UNOCI and UNMIL, within their respective mandates, capabilities and areas of deployment, to enhance their support for the stabilization of the border area, including through increased inter-mission cooperation and the development of a shared, strategic vision and plan, in support of the Ivoirian and Liberian authorities;

27. *Commends* inter-mission cooperation between UNOCI and the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA), and *encourages* both United Nations missions to continue in this direction as authorized by paragraph 14 of Resolution 2100 (2013);

28. *Takes note of* the broad benchmarks presented by the Secretary General in paragraphs 69 and 70 of his report of 26 June 2013 (S/2013/377) and *requests* the Secretary General to refine these strategic benchmarks by presenting detailed and actionable objectives to measure progress for the achievement of long-term stability and to prepare for transition planning, and *furthers requests* him to include them in his midterm report;

29. *Requests* the Secretary-General to keep the Council regularly informed of the situation in Côte d'Ivoire and the implementation of the mandate of UNOCI and to provide to it a midterm report no later than 31 December 2013 and a final report no later than 15 May 2014 on the situation on the ground and the implementation of this resolution;

30. *Decides* to remain seized of the matter.

United Nations S/2013/446

Security Council

Distr.: General
1 August 2013

Original: English

Letter dated 1 August 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

I have the honour to inform you that, under the presidency of Argentina, the Security Council is scheduled to hold an open debate on the subject "Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security". The debate will be held on Tuesday, 6 August 2013 and will be presided by the President of the Argentine Republic, Ms. Cristina Fernández de Kirchner. In order to help steer the discussions on the subject, Argentina has prepared the attached concept note (see annex).

I should be grateful if the present letter and the annex thereto could be circulated as a document of the Security Council.

(*Signed*) Maria Cristina **Perceval**
Ambassador
Permanent Representative

13-40215 (E) 010813

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Annex to the letter dated 1 August 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security

Concept note

Background

The Charter of the United Nations establishes the Security Council as the organ with primary responsibility for the maintenance of international peace and security. A role is also foreseen for "regional arrangements", especially regarding the peaceful settlement of disputes. Chapter VIII of the Charter encourages regional arrangements and organizations to contribute towards the maintenance of international peace and security, which includes making every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional organizations before referring them to the Security Council. It also establishes that such efforts shall be consistent with the purposes and principles of the United Nations. The Security Council is encouraged to utilize such regional arrangements or organizations for the maintenance of peace and security, but no enforcement action can be taken without the authorization of the Security Council. In addition, Article 54 provides that the Security Council shall at all times be kept fully informed of "activities undertaken or in contemplation" under regional arrangements or by regional organizations for the maintenance of international peace and security.

The revitalization of the Security Council after the end of the cold war had implications for the relations between the Security Council and regional arrangements and organizations, as is evidenced by several resolutions adopted under Chapters VII and VIII recommending or authorizing the deployment of regional and multinational forces as alternatives to United Nations peacekeeping operations, not only for enforcement but also for peacekeeping.

In 1992, the Security Council requested the Secretary-General to submit his analysis and recommendations on ways of strengthening and making more efficient the capacity of the United Nations for preventive diplomacy, for peacemaking and for peacekeeping (see S/23500). In his report entitled "An Agenda for Peace" (A/47/277-S/24111), the Secretary-General stressed that regional organizations in many cases possess a potential that must be utilized in the service of preventive diplomacy (including early warning systems), peacekeeping, peacemaking and post-conflict peacebuilding. In 1993, the Security Council called upon regional organizations to consider ways and means of enhancing their contributions to the maintenance of international peace and security (see S/25859).

In the "Supplement to an Agenda for Peace" (A/50/60-S/1995/1), in 1995, the Secretary-General identified five forms of cooperation between the United Nations and regional organizations: consultation, diplomatic support, operational support, co-deployment and joint operations. He also identified certain principles on which the relationship between regional arrangements and organizations and the United Nations should be based. These principles include the principle of consultation, the primacy of

the United Nations, effective division of labour, and consistency of approach. The Secretary-General, while stressing that regional organizations "have much to contribute", noted that the political, operational and financial aspects of the cooperation "give rise to questions of some delicacy". The Security Council has endorsed similar principles, an early example of which is the presidential statement of 30 November 1998 in the context of the maintenance of peace and security in Africa (S/PRST/1998/35); and more generally resolution 1631 (2005), the first resolution adopted by the Security Council concerning regional organizations.

In resolution 1631 (2005), the Security Council expressed its determination to take appropriate steps for the further development of cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security, and invited the Secretary-General to submit a report on the opportunities and challenges facing such cooperation. In his report, entitled "A regional-global security partnership: challenges and opportunities" (A/61/204-S/2006/590), the Secretary-General noted that the opportunities lie in the establishment of a more effective partnership operating in close cooperation with the Security Council, based on a clear division of labour that reflects the comparative advantage of each organization. As important is the development of a programme of action for capacity-building across the globe.

Subsequently, in resolution 1809 (2008), adopted in the framework of a discussion focusing on Africa and the relationship with the African Union, the Security Council encouraged regional and subregional organizations to strengthen and increase cooperation among them, including efforts to enhance their respective capacities in the maintenance of international peace and security.

The Security Council has held a number of general debates on cooperation between the United Nations and regional organizations. On 11 April 2003, under the presidency of Mexico, the Council met with six regional organizations to discuss the new challenges to international peace and security. Subsequently, on 20 July 2004, Romania organized a new debate on cooperation in stabilization processes. The debate on 17 October 2005, also organized by Romania, led to the adoption of resolution 1631 (2005). On 20 September 2006 a new debate organized by Greece sought to emphasize the importance of better coordinating United Nations activities with regional organizations. Other debates and initiatives often focused on collaboration in the area of peacekeeping, primarily with the African Union.

On 13 January 2010, the Security Council held a debate at the initiative of China on the relationship between the United Nations and regional and subregional organizations. As a result of the debate, the Council adopted a presidential statement (S/PRST/2010/1) in which, while emphasizing the primacy of the Security Council in maintaining international peace and security, it stressed the importance of developing effective partnerships. The Council also expressed its intention to consider further steps to promote closer and more operational cooperation between the United Nations and regional and subregional organizations in the fields of conflict early warning, prevention, peacemaking, peacekeeping and peacebuilding, and to ensure the coherence, synergy and collective effectiveness of their efforts. Representatives of a number of regional organizations were invited to participate and to share their experiences and offer suggestions to strengthen cooperation and coordination with the United Nations, namely, the League of Arab States, the African Union, the Association of Southeast Asian Nations, the Collective Security Treaty Organization, the European

Union, the North Atlantic Treaty Organization, the Organization of American States, the Organization of the Islamic Conference, the Organization for Security and Cooperation in Europe, the Pacific Islands Forum and the Shanghai Cooperation Organization.

The Security Council has held since then numerous consultations, interactive dialogues and other meetings with the Organization for Security and Cooperation in Europe, the Peace and Security Council of the African Union, the Political and Security Committee of the European Union as well as other regional and subregional organizations in the context of addressing specific regional or country-specific issues. On 12 January 2012 an open debate was held on the partnership between the United Nations and the African Union. Since 2010, however, the Council has not returned to evaluating comprehensively the issue of United Nations cooperation with regional and subregional organizations in the maintenance of international peace and security.

It is worth mentioning that, in recent years, new subregional arrangements and organizations have played a fundamental role both in conflict prevention and in the promotion and maintenance of international peace and security. Examples include the Community of Latin American and Caribbean States, the Union of South American Nations and the Community of Portuguese-speaking Countries. Other arrangements and organizations have developed new capabilities for action in the maintenance of international peace and security as evidenced in a number of peacekeeping operations, as is the case of the Economic Community of West African States, the Economic Community of Central African States and the Southern African Development Community.

Objectives of the debate

More than three years since the debate convened at the initiative of China, it seems appropriate to conduct an open debate to further strengthen cooperation, dialogue and exchange of information with regional and subregional arrangements and organizations on their capabilities and experience in conflict prevention, peaceful settlement of disputes, peacekeeping and post-conflict peacebuilding, including the consideration of matters such as the rule of law and the fight against impunity, fully in accordance with Chapters VI, VII and VIII of the Charter of the United Nations.

The primary objective of the open debate of 6 August is to consider the role of regional and subregional arrangements and organizations from a broad perspective, exploring options to strengthen the bilateral relationship between the United Nations and the spectrum of regional and subregional organizations. In this regard, the debate would be enriched by the participation of arrangements and organizations representing different regions and subregions, with different capacities and experiences in the prevention or resolution of conflicts, including through the use and support of mediation to prevent the emergence or escalation of new crises.

In this context, and among other issues, participants in the debate may be particularly interested in addressing the following:

(a) The differences in capacity, vision, mandates and objectives of regional and subregional arrangements and organizations pose a clear challenge to elaborating an overarching framework that can serve as the basis for the relationship of these arrangements and organizations with the United Nations. In this regard, nearly 20 years after the "Supplement to an Agenda for Peace" and almost 10 years after "A regional-global security partnership: challenges and opportunities", are the principles

identified by the Secretary-General still valid? Should the implementation of any of his recommendations be reassessed?

(b) What measures may be taken to promote closer cooperation, especially in the fields of early warning, conflict prevention, mediation and post-conflict peacebuilding, that is, with regard to the functions of the Security Council under Chapter VI?

(c) Is it possible to more clearly define the comparative advantages of the United Nations and each regional organization in problem-solving and their contribution to international peace and security? What criteria are relevant today?

(d) Given the increasing demand for United Nations peacekeeping operations and in the context of peacekeeping operations authorized by the Security Council and led by regional organizations, how can better complementarity and effectiveness be achieved in the financial and logistical fields as well as a strict observance of international law, including humanitarian law and international human rights law?

(e) In addition to the consultation mechanisms that are ongoing, in particular with the African Union, the European Union, the Organization of American States and the Organization for Security and Cooperation in Europe, what other mechanisms would help to broaden, extend and strengthen cooperation and dialogue with regional arrangements and organizations beyond partnership agreements already adopted for specific cases? How can consultations be extended to new regional and subregional arrangements and organizations that increasingly assume responsibilities in the maintenance of international peace and security?

(f) How can the capabilities of regional and subregional arrangements and organizations in the maintenance of international peace and security be strengthened?

Format

The format of the session will be an open debate of the Security Council, with the participation of the Secretary-General, to be held on 6 August 2013.

On this occasion, representatives of the Community of Latin American and Caribbean States and the Union of South American Nations, as well as the African Union and the League of Arab States, will be invited to brief the Security Council to share their experiences and lessons learned in the area of peaceful settlement of disputes, early warning mechanisms and conflict prevention, confidence-building measures and cooperation, in conformity with Chapter VIII of the Charter and in the context of the functions of the Security Council under Chapter VI.

The debate will also be open to the participation of representatives of other regional and subregional arrangements and organizations which may express an interest in participating upon invitation by the Security Council under rule 39 of its provisional rules of procedure, as well as to Members of the United Nations.

Expected result

As on the occasion of the last debate on the subject, the Argentine presidency of the Security Council for the month of August will propose the adoption of a presidential statement that, building upon S/PRST/2010/1, will consider the lessons learned on positive cooperation between the United Nations and its Security Council and regional and subregional organizations in maintaining international peace and security, with a view to further strengthening and developing this partnership.

United Nations S/2013/447

Security Council

Distr.: General
1 August 2013

Original: English

Letter dated 1 August 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

I have the honour to inform you that, under the presidency of Argentina, the Security Council is scheduled to hold an open debate on the subject "Protection of civilians in armed conflict". The debate will be held on Monday, 19 August 2013. In order to help steer the discussions on the subject, Argentina has prepared the attached concept note (see annex).

I should be grateful if the present letter and the annex thereto could be circulated as a document of the Security Council.

(*Signed*) Maria Cristina **Perceval**
Ambassador
Permanent Representative

13-40221 (E) 020813

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Annex to the letter dated 1 August 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Protection of civilians in armed conflict

Concept note

Background

Since the adoption of resolution 1265 (1999), the Security Council has addressed the protection of civilians in armed conflict on a regular basis. The Council adopted several resolutions (1296 (2000), 1674 (2006), 1738 (2006) and 1894 (2009)). On 12 February 2013, the Council held an open debate and adopted S/PRST/2013/2, reiterating its concern that civilians continue to account for the vast majority of casualties in situations of armed conflict.

The reports of the Secretary-General contribute to the consideration of the issue by the Security Council. The latest report of the Secretary-General (S/2012/376), like the previous ones (S/2009/277 and S/2010/579), crystallized the debate around five core challenges he identified: enhancing compliance by parties to conflict with international law; enhancing compliance by non-State armed groups; enhancing protection by United Nations peacekeeping and other relevant missions; improving humanitarian access; and enhancing accountability for violations.

In his last report on the protection of civilians in armed conflict (S/2012/376) the Secretary-General indicated that "the abysmal state of the protection of civilians has changed little" and that there is a clear need to translate normative commitments into concrete improvements in the protection of civilians on the ground.

International humanitarian law contains clear norms that are imposed upon the parties to armed conflict by virtue of conventional and customary law.

On 12 February 2013, the Security Council held an open debate on the protection of civilians in armed conflict, which dealt with the five core challenges identified by the Secretary-General. On 17 July 2013, the Security Council, also in an open debate, discussed the question of protection of journalists.

In November 2013, the Secretary-General will present his next report on the protection of civilians in armed conflict. The purpose of the open debate of 19 August is to contribute to discussion by the Council and the broader membership in the light of the upcoming report, also taking into account some other recent developments.

Areas to be explored

It is proposed that delegations address the following specific challenges to strengthen the protection of civilians:

1. Enhancing compliance with international humanitarian law, human rights law and refugee law

Obligations under international humanitarian law derive from the four Geneva Conventions of 1949 — of universal acceptance — their two additional Protocols of

1977, the Hague Conventions of 1899 and 1907, human rights law and refugee law. In accordance with article 3 common to the four Geneva Conventions, international humanitarian law is applicable also in armed conflicts of a non-international character.

The Secretary-General has indicated that failure to spare the civilian population from the effect of hostilities can result in death, injuries and displacement. Displacement, in turn, puts civilians at risk of other violations, notably sexual violence and forced recruitment.

On 23 and 24 May 2013, Norway, in cooperation with Argentina, Austria, Indonesia and Uganda, hosted the Global Conference on Reclaiming the Protection of Civilians under International Humanitarian Law ("the Oslo Conference"). This Conference concluded a series of regional workshops held in Jakarta (2010), Buenos Aires (2011), Kampala (2012) and Vienna (2013), and gathered around 300 participants, including 94 States, with the aim of strengthening the protection of civilians under international humanitarian law. One of the main challenges identified by the Conference is the promotion of compliance with international humanitarian law.

The recommendations of the Conference complement those made by the Secretary-General in his latest report regarding respect for applicable international law, including international humanitarian law, respect for the principles of distinction and proportionality, the need to refrain from displacement of persons as a deliberate tactic and from the use of explosive weapons in densely populated areas. The Conference concluded that States have an obligation not only to respect but also to ensure respect for international humanitarian law and should do their utmost to encourage States and other parties to an armed conflict to comply with international humanitarian law. The need for increased engagement and dialogue with non-State armed groups to increase respect for international humanitarian law among those actors was also identified, and instruments such as unilateral declarations by non-State armed groups, special agreements between Governments and non-State armed groups, and so-called "deeds of commitment" should be promoted as they have been instrumental. States should refrain from inhibiting humanitarian actors in their efforts to engage non-State armed groups for humanitarian purposes, including undertaking activities aimed at promoting respect for international humanitarian law.

In addition to full compliance with the norms of international humanitarian law, compliance with relevant Security Council resolutions is required. In S/PRST/2013/2, the Security Council reiterated that States bear the primary responsibility to protect civilians.

States are encouraged to use their statements during the debate to outline steps they are taking to enhance compliance with international humanitarian law, human rights law and refugee law within their own and other armed forces as appropriate, as well as by non-State armed groups.

2. Ensuring humanitarian access to affected populations

The Secretary-General has identified the need to enhance humanitarian access as one of the five core challenges to strengthening the protection of civilians. Access is essential for humanitarian action upon which thousands or even millions of

people depend. Constraints to humanitarian access that have the most severe effects on people in need of humanitarian assistance include restrictions on movement of humanitarian workers or goods (including physical and bureaucratic obstacles); absence of agreed mechanisms with the parties to conflict for the delivery of assistance during hostilities; interference in the delivery of humanitarian assistance, including demands for payment; and violence against humanitarian actors, including physical attacks on humanitarian workers and on convoys.

In situations of armed conflict, under international humanitarian law the primary responsibility for protecting and meeting the needs of civilians lies with the party under whose control they find themselves. If the party is unable or unwilling to do so, humanitarian agencies can offer their services. Such offers must not be considered as interference in domestic affairs, and consent to relief operations must not be arbitrarily denied.

The Oslo Conference recommended that parties to armed conflicts take all necessary measures to ensure rapid and unimpeded access by humanitarian actors. To this end, States and other actors must take active measures to facilitate humanitarian access; States should not place unnecessary bureaucratic burdens on humanitarian actors; States should ensure that counter-terrorism regulations do not unnecessarily hamper and criminalize the activities of humanitarian actors, who must retain the ability to engage with all relevant parties and actors, including non-State armed groups; in the planning and conduct of humanitarian operations, the different needs and vulnerabilities of the affected population should be taken into account, including the gender perspective and the need to develop context-specific protection strategies. Finally, the role that an active humanitarian diplomacy can play is highlighted, in facilitating rapid and unimpeded humanitarian access and ensuring respect for, and the protection of, humanitarian personnel and assets, including medical personnel, hospitals and ambulances in all circumstances.

States are encouraged to reflect in their statements on the importance of humanitarian access and the practical steps that can be taken to improve access to those in need of protection and assistance.

3. Strengthening accountability for serious violations of international humanitarian law and human rights law

Accountability is a crucial element for enhancing compliance with international humanitarian law and human rights law, as it contributes to preventing serious violations by spreading the message that they will not be tolerated.

The report of the Secretary-General highlighted the role of commissions of inquiry established by the Human Rights Council and made reference to the conclusions of the workshop convened by the Prime Minister of Portugal and the Office for the Coordination of Humanitarian Affairs on accountability and fact-finding mechanisms for violations of international humanitarian law and human rights law (see S/2012/373). The Oslo Conference underlined the need for States to cooperate with fact-finding mechanisms for them to be effective. Without prejudice to the varied experience of the United Nations in this regard, it is worth highlighting that, in S/PRST/2013/2, the Security Council renewed its commitment, made in resolution 1894 (2009), to considering the possibility of recourse to the International Fact-Finding Commission established by virtue of article 90 of Protocol I additional to the Geneva Conventions of 1949.

Combating impunity for serious violations of international humanitarian law and human rights law is a commitment of the Security Council made 20 years ago, with the establishment of the International Tribunal for the Former Yugoslavia, followed in 1994 by the International Tribunal for Rwanda. On 12 June 2013, the Security Council held a debate on the two Tribunals and on the role of justice for serious crimes of international concern.

The primary responsibility for investigating and prosecuting lies with the State but, when the State is unwilling or unable, international criminal justice mechanisms come into play. With both ad hoc Tribunals established by the Security Council in a phase-out stage, the international criminal justice system is already consolidated, with its basis in the International Criminal Court. The role of the Court, including in situations referred to it by the Security Council, was highlighted at the Oslo Conference, and the workshop organized by Portugal and the Office for the Coordination of Humanitarian Affairs made recommendations in that regard, including on certain provisions contained in the two Security Council resolutions making referrals to the Court[1] (namely, financing, exemptions to the jurisdiction of the Court, obligation to cooperate with the Court). The Security Council has taken a notable step in its commitment to the fight against impunity through S/PRST/2013/2, when committing itself to a follow-up to its decisions regarding international tribunals (which of course includes referrals to the International Criminal Court). This follow-up is essential to ensure cooperation by all States Members of the United Nations with the Court.

As the Secretary-General noted in his reports of 2009 and 2010, reparations is an issue that also needs to be addressed, as victims and communities very often need assistance. As an example, the International Criminal Court has a Trust Fund for Victims. But many times the question of reparations is not taken into account. The report of the above-mentioned workshop provides the example of the Commission of Inquiry on Darfur. The Commission indicated that "[g]iven the magnitude of the damage to civilian populations caused by the armed conflict, it is necessary to envisage granting reparations to victims of crimes committed during such conflict"[2] and recommended the establishment of a Compensation Commission. That recommendation was not followed by the Security Council.

States are invited to reflect in their statements on the recommendations arising from the Office for the Coordination of Humanitarian Affairs/Portugal workshop and how these might be implemented, including those relating to reparations.

States might also consider the issue of accountability at the national level. States may want to focus their remarks on examples of good practice at the national level in terms of the investigation, prosecution and punishment of persons accused of war crimes and other serious violations of human rights law; and the role of the international community in promoting and supporting national efforts.

Format and briefers

The Security Council will hold an open debate presided by Ambassador Susana Ruiz Cerutti, the Legal Adviser to the Ministry of Foreign Affairs and

[1] Resolutions 1593 (2005) and 1970 (2011).

[2] Report of the International Commission of Inquiry on Darfur to the Secretary-General pursuant to Security Council resolution 1564 (2004) of 18 September 2004 (see S/2005/60), para. 591.

Worship of the Argentine Republic and a member of the International Humanitarian Fact-Finding Commission. The Secretary-General is expected to brief the Council, as well as the United Nations High Commissioner for Human Rights, Navi Pillay, the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Valerie Amos, and the Director for International Law and Cooperation of the International Committee of the Red Cross, Philip Spoerri. The meeting will be held on Monday, 19 August 2013, and will be open to the participation of non-Security Council members.

Outcome

No outcome document is expected.

United Nations S/2013/448

Security Council

Distr.: General
30 July 2013

Original: English

Rwanda, Togo and United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Reaffirming all its previous resolutions and presidential statements concerning the situation in Sudan and underlining the importance of full compliance with these,

Reaffirming its strong commitment to the sovereignty, unity, independence and territorial integrity of Sudan and its determination to work with the Government of Sudan, in full respect of its sovereignty, to assist in tackling the various challenges in Sudan,

Recalling the importance of the principles of the peaceful settlement of international disputes, good neighbourliness, non-interference and cooperation in the relations among States in the region,

Recalling also its previous resolutions 1265 (1999), 1296 (2000),1674 (2006), 1738 (2006) and 1894 (2009) on the protection of civilians in armed conflict, which reaffirm, inter alia, the relevant provisions of the United Nations World Summit outcome document; 1612 (2005), 1882 (2009), 1998 (2011) and 2068 (2012) on children and armed conflict; 1502 (2003) on the protection of humanitarian and United Nations personnel; and 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010) and 2106 (2013) on women, peace and security,

Recalling its resolutions reaffirming that there can be no peace without justice, and recalling the importance that the Council attaches to ending impunity and to ensuring justice for crimes committed in Darfur, welcoming the ongoing investigations by the Special Prosecutor for Darfur appointed by the Government of Sudan, and encouraging further progress in this regard,

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951 and its additional protocol of 16 December 1966, along with the 1969 Convention of the Organization of African Unity governing the specific aspects of refugee problems in Africa, as well as the African Union Convention of 29 October 2009, on the Protection of and Assistance to internally displaced persons in Africa,

Recalling the report of the Secretary-General on Children and Armed Conflict in Sudan dated 5 July 2011 (S/2011/413), including its recommendations, and also recalling the conclusions of the Security Council Working Group on Children and Armed Conflict (S/AC.51/2012/1) adopted on 11 October 2012,

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Reiterating its support for the Doha Document for Peace in Darfur (DDPD) as a solid basis for the Darfur peace process; *expressing* its strong commitment and determination to support the peace process, *welcoming* progress made so far but *deploring* the serious delays in the implementation of the DDPD, *urging* the Government of Sudan and the Liberation and Justice Movement to accelerate the implementation of the DDPD in order to deliver real benefits for the Darfuri people, welcoming the signature of the DDPD by the Justice and Equality Movement — Bashar faction and its reaffirmed commitment to the DDPD's implementation, and urging swift implementation of its commitments, and *encouraging* the international community to assist the signatories in this regard, *deploring* also the fact that some armed groups have refused to join the process and are impeding implementation of the DDPD and *strongly urging* them to support the process, *condemning* any actions by any armed group aimed at forced overthrow of the Government of Sudan, and *strongly urging* the Government of Sudan and all the armed groups, including the Sudan Liberation Army, Abdul Wahid faction (SLA/AW), the Sudan Liberation Army, Minni Minawi faction (SLA/MM), and the Justice and Equality Movement faction headed by Gibril Ibrahim, to make every effort to reach a comprehensive peace settlement on the basis of the DDPD, and to agree upon a permanent ceasefire without further delay or preconditions,

Underlining, without prejudice to the Security Council's primary responsibility for the maintenance of international peace and security, the importance of the partnership between the United Nations and the AU, consistent with Chapter VIII of the United Nations Charter, with regard to the maintenance of peace and security in Africa, particularly in Sudan, and welcoming, in particular, the efforts of the AU High-level Implementation Panel for Sudan under the leadership of President Thabo Mbeki working in cooperation with UNAMID, to address in a comprehensive and inclusive manner the challenges of peace, justice and reconciliation in Darfur,

Welcoming the report of the Secretary-General of 12 July (S/2013/420) on UNAMID,

Commending the efforts of UNAMID towards promoting peace and stability on Darfur, and reiterating its full support for UNAMID,

Strongly condemning attacks on UNAMID, most recently the attack on 13 July in which 7 peacekeepers were killed and 17 peacekeepers and police were injured; *expressing* its deep condolences to the Governments and families of those killed; *calling on* the Government of Sudan swiftly to investigate these attacks and bring the perpetrators to justice and *welcoming* the Government's publicly stated commitment to do so in respect of the 13 July attack; and *calling* on all parties in Darfur to cooperate fully with the Mission,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments, with a view to enhancing the effectiveness of peacekeeping missions; *encouraging* the full implementation by UNAMID of its Chapter VII mandate; *underlining*, in this regard, the importance of UNAMID deterring any threats to the implementation of its mandate, and the safety and security of its peacekeeping personnel in accordance with the Charter of the United Nations; and *expressing its concern about* the urgent need to raise the operational and self-sustainment capabilities of those military and police contingents, who have yet to do so, to the agreed levels,

Expressing deep concern at the increased violence and insecurity in some parts of Darfur in recent months, including notably the escalation in inter-tribal fighting, and at confrontations between the Government of Sudan and the armed groups, *expressing deep concern* that such clashes, including attacks by rebel groups and aerial bombardment by the Government of Sudan, inter-tribal fighting, banditry and criminality continue to threaten civilians, and that attacks on humanitarian personnel and peacekeepers continue to restrict humanitarian access to conflict areas where vulnerable civilian populations reside, *acknowledging* the efforts of Sudanese authorities to mediate in inter-tribal fighting, and *urging* their continued work, *calling on* all parties to cease hostilities, including all acts of violence committed against civilians, and urgently facilitate unhindered humanitarian access in accordance with international law, including applicable international humanitarian law, and the guiding principles of humanitarian assistance, while *continuing to note* that the overall security situation in Darfur has improved since the deployment of UNAMID,

Recalling the commitments made by the Government of Sudan and other signatories to the Doha Document for Peace in Darfur (DDPD) to ensure the unimpeded access of humanitarian assistance to the population in need and the protection of humanitarian workers and their operations in areas under their control, as well as to guarantee UNAMID unimpeded freedom of movement in all areas and at all times in Darfur in the exercise of its mandate,

Expressing deep concern at the hindrances to UNAMID in the implementation of its mandate, including movement and access restrictions,

Expressing deep concern at the significant increase in population displacements this year and the consequent increase in humanitarian assistance and protection needs, and at the fact that approximately two million IDPs and refugees remain displaced, further *expressing deep concern* at the deteriorating conditions for the internally displaced in Darfur as well as for new refugees in neighbouring countries and Chadians who have fled Darfur, and at the situation of refugees and IDPs unable to reach camps, and therefore vulnerable to ongoing violence or lacking humanitarian assistance, stressing the importance of continued international support to address these needs, *recognizing* that some displaced will settle permanently in urban areas, but *underlining* the need to ensure security in areas of return,

Expressing its concern at the hostilities between the Government of Sudan and the Sudan Liberation Army, Abdul Wahid faction (SLA/AW), the Sudan Liberation Army, Minni Minawi faction (SLA/MM), and the Justice and Equality Movement faction headed by Gibril Ibrahim, and *reiterating* that there can be no military solution to the conflict in Darfur, and that an inclusive political settlement is essential to re-establishing peace,

Expressing concern about links between non-signatory armed groups in Darfur and groups outside Darfur, and *demanding* that any form of direct or indirect external support for such groups ceases,

Expressing its appreciation for the work of Mr. Ibrahim Gambari as the Joint African Union-United Nations Special Representative for Darfur and Head of UNAMID, and welcoming the appointment of Dr. Mohamed Ibn Chambas,

Reiterating its condemnation of all violations of international human rights and humanitarian law in Darfur and in relation to Darfur, *calling* on all parties to comply with their obligations under international human rights and humanitarian

law, *emphasizing* the need to bring to justice the perpetrators of such crimes, and *urging* the Government of Sudan to comply with its obligations in this respect,

Welcoming work by UNAMID to revise its protection of civilians and early warning strategies, and urging their finalization and implementation,

Stressing the importance of continued to efforts to enhance effective working between UNAMID's military, civilian and police components, and between UNAMID and humanitarian organizations in Darfur, in the implementation of its mandate,

Reaffirming its concern over the negative effect of ongoing violence in Darfur on the stability of Sudan as a whole as well as the region, *welcoming* the ongoing good relations between Sudan and Chad, as well as the deployment of a joint force under a joint command along the border, and *encouraging* Sudan, Chad and CAR to continue to cooperate in order to achieve peace and stability in Darfur and the wider region,

Welcoming the holding of the Darfur Donors' Conference in Doha on 7-8 April, noting its endorsement of the Darfur Development Strategy and urging donors to honour their pledges and fulfil their obligations in a timely manner, and affirming that development can help support a lasting peace in Darfur,

Determining that the situation in Sudan constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of UNAMID as set out in resolution 1769 (2007) for a further 13 months to 31 August 2014;

2. *Recalls* its decision that UNAMID's uniformed personnel would be reconfigured so that UNAMID shall consist of up to 16,200 military personnel, 2,310 police personnel and 17 formed police units of up to 140 personnel each; welcomes the steps taken by UNAMID towards implementation of this decision; and urges its completion within the stipulated timeframe, as well as continued efforts by UNAMID to ensure that its uniformed personnel are focused on the areas in Darfur facing the highest security threats;

3. *Requests* the Secretary-General to conduct, in close consultation with the African Union, and seeking perspectives from all relevant parties, a detailed and forward-looking review of UNAMID's progress towards achieving its mandate, including in light of major changes and developments in the situation in Darfur since UNAMID's establishment, progress towards its benchmarks and consequences for UNAMID; and requests that he present options and recommendations on improving UNAMID's effectiveness to the Security Council by 28 February 2014;

4. *Underlines* the need for UNAMID to continue to make full use of its mandate and capabilities, giving priority in decisions about the use of available capacity and resources to: (a) the protection of civilians across Darfur, including through the full implementation of its mission-wide early warning strategy with associated early warning indicators; proactive military deployment and increased patrols in areas at high risk of conflict; enhanced efforts to respond promptly and effectively to threats of violence against civilians; securing, through increased police patrols, IDP camps, adjacent areas and areas of return; and supporting the development and training of community policing for IDP camps and areas of return; and (b) ensuring safe, timely and unhindered humanitarian access, and the safety and security of humanitarian personnel and humanitarian activities, so as to

5. In a communiqué issued on 9 May, following the 374th meeting of the African Union Peace and Security Council, the Governments of the Sudan and South Sudan, the African Union and the United Nations agreed to conduct a joint investigation into the 4 May incident in order to establish the facts surrounding it, to determine whether the incident constituted a violation of relevant agreements and to provide recommendations, including on actions and measures to be taken by all involved, namely the Governments of the Sudan and South Sudan and the traditional leadership of the Ngok Dinka and Misseriya communities, to prevent the reoccurrence of such incidents. On 3 July, the African Union Commission appointed Anil Gayan, former Minister for Foreign Affairs of Mauritius, to chair the investigation team. The United Nations is represented on the team by Lieutenant-General Joseph Owonibi, a retired Senior Officer of the Nigerian army. The joint investigation mission started on 15 July and is scheduled to last for four weeks.

6. The widespread presence of small arms in the Abyei Area remained a significant security threat. The prevention of the overt carriage of arms by communities continued to be a top priority for UNISFA. During the reporting period, UNISFA troops disarmed members of both communities in several locations, recovering weapons and ammunition. In Faruk, in northern Abyei, UNISFA disarmed two Misseriya carrying rifles and ammunition on 19 May and 7 June. UNISFA also disarmed two Misseriya carrying rifles and ammunition, on 28 May in Um Khariat, and on 10 June in Diffra. In central Abyei, four Misseriya carrying rifles and ammunition were disarmed on 29 May in Noong, while one Misseriya man was arrested in Goli. The firearms are in the temporary custody of the mission until they can be handed over to the relevant authorities.

7. There have been cases of illegal roadblocks, armed robbery and cattle raiding during the reporting period. On 5 June, a UNISFA patrol dismantled an illegal roadblock in Diffra manned by four Misseriya youth who were attempting to extort money from local traders. On 8 June, six trucks that had been stolen from a Sudanese construction company on 6 June at Abu Ghazala were recovered by UNISFA troops and returned to the company.

8. On 20 May, three trucks belonging to Sudanese contractors hired by UNISFA to transport sand from Diffra to Dokura were stopped on their way back near Dokura and their drivers were attacked by Ngok Dinka youth. The drivers sustained injuries and the youth also confiscated one of the trucks, which is yet to be recovered. On 11 June, 28 Misseriya youths on 14 motorcycles armed with AK-47 rifles and other small weapons attempted to loot South Sudanese vehicles at Abu Gazala, but were apprehended and disarmed by UNISFA troops.

9. On 1 July, local residents informed UNISFA that around nine unidentified assailants, dressed in military uniform and armed with AK-47 rifles, stormed Galary village near Dokura in central Abyei. They shot and killed a 19-year-old Ngok Dinka youth and took with them approximately 60 head of cattle belonging to local residents. The attackers fled but the stolen livestock was later recovered. On 6 July, a group of unidentified men killed a 60-year-old Ngok Dinka man and stole around 38 head of the victim's cattle. UNISFA immediately mounted a tracking and cordoning operation and succeeded in recovering and returning all of the stolen livestock, although the perpetrators were able to escape under the cover of darkness.

10. The security of oil facilities in the Abyei Area is another concern. On 12 June, a pump at fuel station 2, located in Ajaj, 62 km east of Diffra town, caught fire and

facilitate the unimpeded delivery of humanitarian assistance throughout Darfur; and *requests* UNAMID to maximize the use of its capabilities, in cooperation with the United Nations country team and other international and non-governmental actors, in the implementation of its mission-wide comprehensive strategy for the achievement of these objectives;

5. *Emphasizes* UNAMID's Chapter VII mandate, as defined in resolution 1769, to deliver its core tasks to protect civilians without prejudice to the primary responsibility of the Government of Sudan and to ensure the freedom of movement and security of UNAMID's own personnel and humanitarian workers; *urges* UNAMID to deter any threats against itself and its mandate; reiterates that it is important to ensure that contingents are properly prepared and effectively equipped to be able to carry out UNAMID's mandate, and urges continued efforts, with those contingents for whom it is necessary, to achieve improvements in this area;

6. *Welcomes* the Framework for AU and United Nations Facilitation of the Darfur Peace Process, and the priority given to UNAMID's efforts, in coordination with the United Nations country team, to support this framework in accordance with paragraphs 7, 8 and 10 below, and *welcomes* the efforts of the AU High-level Implementation Panel for Sudan in this regard;

7. *Urges* the signatory parties to implement the DDPD in full, including by ensuring that the Darfur Regional Authority (DRA), National Human Rights Commission and Office for the Special Prosecutor for Darfur, as well as the Darfur Regional Security Committee, the establishment of which is welcome, are resourced and empowered to carry out their mandates, *demands* that the non-signatory armed groups refrain from impeding the implementation of the DDPD; and, in this context, condemns the killing of Mohamed Bashar and other members of his movement by JEM-Gibril forces, and the taking captive of several others, and further demands their immediate release; and *requests* UNAMID to support the implementation of the DDPD, by working closely with the United Nations country team on Disarmament, Demobilization and Reintegration and building the capacity of the police, justice and corrections sectors; and welcomes the Integrated Strategic Framework developed by UNAMID and the United Nations country team for United Nations system-wide support to the DDPD;

8. *Demands* that all parties to the conflict, including in particular all the non-signatory armed groups, engage immediately and without preconditions to make every effort to reach a permanent ceasefire and a comprehensive peace settlement on the basis of the Doha Document for Peace in Darfur (DDPD), and further demands that all parties to the conflict and other groups immediately cease all acts of violence, in order to bring a stable and durable peace to the region;

9. *Welcomes* the initiative of the Joint Chief Mediator to revitalize the peace process, including through renewed engagement of the non-signatory movements;

10. *Reaffirms* its support for: a Darfur-based internal dialogue that takes place in an environment of respect for the civil and political rights of participants, including women, such that they can exercise their views without fear of retribution; freedom of speech and assembly to permit open consultations; freedom of movement of participants and UNAMID; proportional participation among Darfurians; freedom from harassment, arbitrary arrest and intimidation; and freedom from interference by the Government or the armed groups; welcomes steps taken in this regard, in

exploded. UNISFA troops assisted in extinguishing the fire. The exact cause of the explosion is yet to be ascertained. As a precautionary measure, the mission stationed troops at the pumping station for a week, in addition to increasing patrols in the vicinity of Ajaj. On 8 July, local sources informed UNISFA of the presence of an unidentified armed group in the Dumboloya area near the Baloom oil pipeline in eastern Abyei. A verification patrol deployed by UNISFA could not confirm the veracity of the information, but, as a precautionary measure, the mission deployed troops to patrol the area.

11. The reverse migration of the Misseriya progressed during the reporting period, involving approximately 140,000 Misseriya with about 1,650,000 livestock crossing the Abyei Area from South Sudan en route to the Sudan.

12. The United Nations Mine Action Service (UNMAS) continued to contribute to the stabilization of the Abyei Area and to the protection of civilians and supported mission operations. During the 2012-2013 financial year, UNMAS completed the recovery and destruction of 1,432 items of explosive remnants of war and more than 515 kilograms of small arms ammunition. It also assessed over 1 million m^2 of land, conducted general mine action assessments in 88 villages, surveyed 305 km priority routes and verified or cleared 105 km of roads of landmines and explosive remnants of war. On 1 July, UNMAS suspended its mine clearance operations with the onset of the rainy season.

III. Political developments

13. No progress was made towards the establishment of the temporary institutions in Abyei and the further implementation of the 20 June 2011 Agreement. The Abyei Joint Oversight Committee has not met since the extraordinary session convened by UNISFA on 2 and 3 May, at which the Committee's Co-Chairs from the Sudan and South Sudan resolved to declare the Abyei Area "weapon free" and to speed up the establishment of the Abyei Police Service. No decisions were made, however, at the meeting on the timetable for the implementation of those pledges.

14. Following the killing of their Paramount Chief on 4 May, the Ngok Dinka community of Abyei has rejected the establishment and continuation of any joint institutions between the Sudan and South Sudan, including the Abyei Joint Oversight Committee, the Abyei Area Administration institutions and the Abyei Police Service.

15. Since Presidents Omar al-Bashir and Salva Kiir publicly committed, on 24 May, to swiftly address issues related to Abyei, including the temporary arrangements, the parties have focused primarily on the conditions for the holding of the Abyei referendum as a matter of priority. President Thabo Mbeki, in his capacity as Chair of the African Union High-level Implementation Panel, raised the issue with both Presidents in the margins of the African Union Summit in late May. Both Heads of State reiterated their commitment to holding a referendum to resolve the final status of Abyei. President Bashir emphasized, however, that he could not agree to certain provisions of the proposal of the Implementation Panel that he believed were in violation of the Abyei Protocol of the 2005 Comprehensive Peace Agreement. Those provisions included the proposed eligibility criteria of "permanent residents" only (whereas the protocol referred to those "residing" in the Area), and the chairmanship of the Referendum Commission by the African Union

particular the finalization of the strategy for the Darfur Internal Dialogue and Consultations, endorsed by the facilitators, UNAMID, the AU-HIP and the State of Qatar; *calls on* the Government of Sudan and the armed groups to ensure the necessary enabling environment for such a dialogue to begin promptly; *requests* UNAMID to support and monitor the development of such a dialogue, and *requests* the Secretary-General in his regular reports, referred to in paragraph 14 below, to report any security incidents, threats, violations of the participants' freedoms or instances of interference as well as on the overall environment for the dialogue. *Calls on* the signatories of the DDPD to heed the results of the internal dialogue process, and to respond in the context of DDPD implementation to the wants and needs of the people expressed through such a process;

11. *Commends* UNAMID troop- and police-contributing countries and the contributions of donors to UNAMID, calls on Member States to pledge and provide remaining force enablers, including military air assets, required for the Mission, and recalls the importance of continued close consultations with troop- and police-contributing countries; *strongly condemns* all attacks on UNAMID, including the 13 July attack that led to the death of seven United Nations peacekeepers, and other attacks that have killed or wounded others; *underlines* that any attack or threat of attack on UNAMID is unacceptable and notes that individuals and entities who plan, sponsor or participate in such attacks constitute a threat to stability in Darfur and may therefore meet the designation criteria provided for in paragraph 3 (c) of resolution 1591 (2005); *demands* that there be no recurrence of such attacks and that those responsible be held to account following prompt and thorough investigation, *stresses* the need to enhance the safety and security of UNAMID personnel, urges UNAMID to take all necessary measures within its rules of engagement to protect United Nations personnel and equipment; condemns the ongoing impunity for those who attack peacekeepers, and in this regard *urges* the Government of Sudan to do its utmost to bring all perpetrators of any such crimes to justice and to cooperate with UNAMID in this regard, and further urges relevant parties to cooperate with the Panel of Experts appointed by the Secretary-General pursuant to paragraph 3 (b) of resolution 1591 (2005) and extended by subsequent resolutions;

12. *Commends* the credible work of the Tripartite Mechanism but *expresses deep concern* at increased restrictions and bureaucratic impediments placed by the Government of Sudan upon UNAMID movement and operations, particularly to areas of recent conflict; *calls on* all parties in Darfur to remove all obstacles to UNAMID's full and proper discharge of its mandate, including by ensuring its security and freedom of movement; and in this regard, *demands* that the Government of Sudan comply with the Status of Forces Agreement fully and without delay, particularly regarding the movement of patrols, flight and equipment clearances, the removal of all obstacles to the use of UNAMID aerial assets, and the timely provision of visas for UNAMID personnel and processing of its equipment at the port of entry to Sudan; welcomes that, in the latest rotation cycle, equipment clearances were given in a more timely manner, but expresses concern that other delays continue; *welcomes* some progress made in the provision of such visas, but *deplores* continued delays, which threaten seriously to undermine the ability of the mission to implement its mandate; *demands* that the Government of Sudan respect the rights of UNAMID personnel under the SOFA;

13. *Reiterates* its demand that UNAMID be given a licence for its own radio transmitter in line with the provisions of the Status of Forces Agreement, so that it can communicate freely with all Darfuri stakeholders;

14. *Requests* the Secretary-General to continue reporting to the Council every 90 days on progress in the implementation of UNAMID's mandate, including the operational and self-sustainment capabilities of troop and police contingents, as well as on progress on the political track, the security and humanitarian situation, including in the IDP sites and refugee camps, the actions of all parties with respect to the provisions of this resolution, human rights, violations of international humanitarian and human rights law, early recovery and on all restrictions and bureaucratic impediments to UNAMID's freedom of movement; welcomes the updated benchmarks and indicators for UNAMID submitted by the Secretary-General, after consultation with the African Union, in his report of 16 October 2012 (S/2012/771), and the inclusion in his regular reports to the Council every 90 days thereafter of an assessment of progress towards and obstacles to the achievement of these benchmarks, which help the Council to assess progress made by UNAMID in implementing its mandate, as well as the cooperation of the Government of Sudan and the armed groups with UNAMID, as well as all parties' compliance with their international obligations;

15. *Demands* that all parties to the conflict in Darfur immediately end violence, including attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under international human rights and humanitarian law; *affirms*, in this context, the Council's condemnation of serious violations of international humanitarian law and human rights law; *calls* for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire and *underlines* the need for UNAMID to report on major instances of violence which undermine the parties' full and constructive efforts towards peace;

16. *Expresses* its serious concern at the deteriorating humanitarian situation in Darfur, and at the threats to humanitarian organizations that persist, *welcomes* that humanitarian organizations are able to deliver aid to most people in need of assistance in Darfur but *expresses serious concern* that access to populations in conflict-affected areas remains constrained, deplores the increased restrictions on humanitarian access in Darfur resulting from increased insecurity, attacks against humanitarian workers, denial of access by the parties to the conflict and bureaucratic impediments imposed by the Government of Sudan, notes the publication of the Government of Sudan's Directives for Humanitarian Work 2013, regarding cooperation with the humanitarian community on facilitation of humanitarian access in Darfur, and calls for their full implementation, stressing the need for the timely issuance of visas and travel permits for humanitarian organizations; and *demands* that the Government of Sudan, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel, and the delivery of humanitarian assistance to populations in need, while respecting United Nations guiding principles of humanitarian assistance including humanity, impartiality, neutrality and independence;

17. *Condemns* increased human rights violations and abuses in, and relating to, Darfur, including extrajudicial killings, the excessive use of force, abduction of civilians, acts of sexual and gender-based violence and arbitrary arrests and detentions, *expresses* deep concern about the situation of all those so detained,

(whereas the protocol provides that the two parties form the Referendum Commission). Subsequently, in June, President Mbeki sent letters to both Presidents asking for the names of their representatives to discuss and propose solutions. There has been no further progress on this issue.

16. A meeting of the Joint Political and Security Mechanism was scheduled for 5 June in Juba, following the extraordinary meeting in Addis Ababa on 26 April. The meeting was postponed due to increased tensions between the parties on their respective support and the harbouring of one another's rebel groups. A new date for the meeting is yet to be finalized.

IV. Status of the Joint Border Verification and Monitoring Mechanism

17. The operationalization of the Joint Border Verification Monitoring Mechanism has continued according to the implementation plan approved by the co-chairs of the Joint Political and Security Mechanism on 19 December 2012 and its implementation matrix adopted on 8 March 2013 in Addis Ababa. The plots for the building of Sector headquarters in Malakal and Buram have been identified, in conjunction with the United Nations Mission in South Sudan (UNMISS) and the African Union-United Nations Hybrid Operation in Darfur (UNAMID), respectively. On 30 June, the Government of the Sudan formally communicated its consent for the use of the land in Buram. Confirmation from the Government of South Sudan for the use of the land in Malakal is still pending.

18. The security situation in and around the headquarters of the Monitoring Mechanism in Kadugli deteriorated due to the outbreak of fighting between the Sudanese Armed Forces and the Sudan People's Liberation Movement-North (SPLM-North) during the reporting period. Consequently, the Mechanism suspended its operational activities, including monitoring and verification patrols out of Kadugli from 9 June to 21 July.

19. Regular exchanges of shelling and firing between the Sudanese Armed Forces and SPLM-North has been observed since that time. On 14 June, one mortar shell fired by SPLM-North hit the UNISFA logistics base in Kadugli. One Ethiopian peacekeeper was killed and two others were wounded. On 17 and 18 June, heavy shelling was observed within Kadugli town, including in the areas around the stadium, the airport and the headquarters of the Monitoring Mechanism.

20. In an effort to enhance the security and safety of mission personnel located in the area, UNISFA has constructed three security bunkers at the Kadugli base and commenced work on a fourth bunker. The bunkers have been furbished with lighting, ablution facilities, communications and supplies (food, water and medical).

21. UNMAS is also a critical enabler for the work of the Monitoring Mechanism, both facilitating access for United Nations and national observers on the ground and providing them with predeployment training. UNMAS has deployed Patrol Support Teams in Gok Machar and Kadugli in preparation for full operations of the Monitoring Mechanism. Three additional demining Patrol Support Teams will deploy to the Buram and Malakal sector headquarters once they are established.

V. Humanitarian situation

22. During the reporting period, humanitarian agencies shifted from a dry season response, focused primarily on meeting returnee needs, to a rainy season response, which concentrates more broadly on food security and the provision of shelter, water, sanitation and hygiene.

23. By the end of June, over 1,500 families in and around the Agok area and around the Abyei town area received non-food assistance, including plastic sheeting and agricultural implements, and seeds were distributed to over 5,000 families. Within the Abyei Area, the World Food Programme (WFP) continued to provide food assistance to close to 80,000 people. Following an inter-agency assessment by the Office of the United Nations High Commissioner for Refugees (UNHCR), WFP added 1,297 returnees to its food distribution list.

VI. Protection of civilians

24. UNISFA continued to implement its multifaceted conflict prevention and mitigation strategy, involving monitoring and early warning assessments and the conduct of day-and-night patrols, as well as increasing its air patrols due to the onset of the rainy season.

25. The mission continued to engage local communities, primarily through the joint security committees, to ensure the conclusion of a peaceful migration process. However, the lack of progress in the implementation of the 20 June 2011 Agreement, particularly the absence of commitment from the parties to establish the Abyei Council, Administration, the Abyei Police Service and other local governance and rule of law institutions continues to pose a significant challenge to law and order in the Abyei Area.

26. There have been no new developments with regard to the operationalization of human rights monitoring in the Abyei Area, as provided for under paragraph 14 of Security Council resolution 2075 (2012).

VII. Deployment of the United Nations Interim Security Force for Abyei

27. As of 5 July 2013, the military component of UNISFA stood at 3,938 of its authorized troop strength of 5,326 authorized by the Security Council in its resolution 2104 (2013) of 29 May 2013 (a ceiling of 4,200 for the Force and 1,126 to enable the mission to fully support the Joint Border Verification and Monitoring Mechanism). Preparations are under way for the deployment of the force protection unit for the Monitoring Mechanism. The unit will consist of 1,096 troops, divided into four self-sustained companies of 267 troops each and a headquarters element of 28 personnel. The remaining 30 troops will be deployed as staff officers. Members of the force protection unit are currently undergoing predeployment training in Ethiopia.

28. The United Nations and the Government of Ethiopia are working to expedite the deployment of an advance party of the force protection unit in early August, comprising three platoons and a command element (120 troops), which will enable

including civil society members and IDPs, and *emphasizes* the importance of ensuring within its current mandate, UNAMID's, and other relevant organizations' ability to monitor such cases and in this regard urges the Government of Sudan to extend greater cooperation with UNAMID towards fulfilment of this goal; *calls on* the Government of Sudan fully to respect its obligations, including by fulfilling its commitment to lift the state of emergency in Darfur, releasing all political prisoners, allowing free expression and undertaking effective efforts to ensure accountability for serious violations of international human rights and humanitarian law, by whomsoever perpetrated, and *emphasizes* the importance of UNAMID acting to promote human rights, bringing abuses and violations to the attention of the authorities and *requests* the Secretary-General to provide reporting on all the human rights issues identified in this resolution in his regular reports to the Security Council, and to report promptly gross violations and abuses to the Security Council;

18. *Takes note* of the elaboration of the human rights due diligence policy, encourages UNAMID to implement it fully, and requests the Secretary-General to include progress made in implementing the policy in his reports to the Council;

19. *Notes* that conflict in one area of Sudan affects other areas of Sudan and the wider region; and *urges* close coordination among United Nations missions in the region, including UNAMID, the United Nations Interim Security Force for Abyei (UNISFA) and the United Nations Mission in South Sudan (UNMISS), and *requests* the Secretary-General to ensure effective inter-mission cooperation;

20. *Notes* the request contained in paragraph 25 of resolution 2109 (2013) related to the regional threat of the Lord's Resistance Army, and *encourages* UNAMID, within existing capacities and consistent with its mandate, to cooperate and share information in this regard;

21. *Stresses* the importance of achieving dignified and durable solutions for refugees and internally displaced persons, and of ensuring their full participation in the planning and management of these solutions, *demands* that all parties to the conflict in Darfur create the conditions conducive to allowing the voluntary, informed, safe, dignified and sustainable return of refugees and internally displaced persons, or their local integration; *expresses* deep concern at the significant worsening of insecurity and increase in displacements this year and the resulting humanitarian and protection needs, and at the fact that approximately two million IDPs and refugees remain displaced, *stresses* the importance of the Joint Verification Mechanism in verifying the extent to which these returns are voluntary and informed in nature and *expresses* deep concern over some bureaucratic obstacles that undermine its effectiveness and independence;

22. *Notes* that security and freedom of movement will greatly facilitate recovery initiatives and a return to normalcy in Darfur; *stresses* the importance of early recovery efforts in Darfur when such interventions are suitable, and in this respect *encourages* UNAMID, within its current mandate, to facilitate the work of the United Nations country team and expert agencies on recovery and reconstruction in Darfur, inter alia through the provision of area security; *calls on* all parties to provide unhindered access and on the Government of Sudan to lift all access restrictions, work to resolve the root causes of the Darfur crisis and to increase investment in early recovery activity;

23. *Expresses* deep concern over the increased localized conflicts, increased criminality and violence and their effect on civilians, and particularly over the sharp increase in inter-tribal clashes and *calls on* all parties urgently to put an end to such clashes and to pursue reconciliation and dialogue; *expresses deep concern* over the proliferation of arms, in particular small arms and light weapons, and, in this regard, *requests* UNAMID to continue to support local conflict resolution mechanisms, including with civil society organizations and *authorizes* the Joint Chief Mediator to conduct mediation and reconciliation efforts involving Darfuri armed groups; *further requests* UNAMID to monitor whether any arms or related material are present in Darfur in accordance with its mandate as set out in paragraph 9 of resolution 1769, and in this context, to continue to cooperate with the Panel of Experts established by resolution 1591 (2005) in order to facilitate their work;

24. *Encourages* the Joint Chief Mediator, in his facilitation of the Darfur peace process and his mediation and reconciliation efforts, to be mindful of other relevant peace processes;

25. *Demands* that the parties to the conflict immediately cease all acts of sexual violence, and make and implement specific and time-bound commitments to combat such violence, in accordance with resolution 2106 (2013); and *requests* UNAMID to report on sexual and gender-based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, including through the timely appointment of women protection advisers, and notes the inclusion of protection to women and children from sexual violence and gender-based violence, as part of the mission-wide Protection of Civilians strategy identified in paragraph 4 above, and *requests* the Secretary-General to ensure that the relevant provisions of resolutions 1325 (2000), and associated resolutions on women, peace and security, are implemented by UNAMID, including supporting the participation of women during all stages of peace processes, particularly in conflict resolution, post-conflict planning and peacebuilding, including women's civil society organizations, and through the appointment of gender advisers, and to include information on this in his reporting to the Council;

26. *Demands* furthermore that the parties to the conflict immediately cease all violations and abuses against children and *requests* the Secretary-General to ensure (a) continued monitoring and reporting, including as part of the reports referred to in paragraph 14 above, of the situation of children including through enhanced cooperation with child protection actors and (b) continued dialogue with the parties to the conflict towards the development and implementation of time-bound action plans to end the recruitment and use of children and other violations of international humanitarian law and human rights law committed against children;

27. *Takes note* of the ongoing review of the civilian component of UNAMID, and expects this review to ensure that the Mission will effectively and efficiently implement its mandate and respond to developments on the ground and emerging priority needs;

28. *Recognizes* UNAMID's efforts to manage the environmental impacts of its operations when fulfilling mandated tasks, as appropriate and in accordance with applicable and relevant General Assembly resolutions and United Nations rules and regulations, and *encourages* UNAMID to continue such efforts;

29. *Requests* the Secretary-General periodically to review and update the concept of operations and rules of engagement of UNAMID in line with the mission's mandate under relevant Security Council resolutions and to report, as part of the reports referred to in paragraph 14 above, on this to the Security Council and troop-contributing countries;

30. *Decides* to remain seized of the matter.

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Agenda item 105
Measures to eliminate international terrorism

Security Council
Sixty-eighth year

Identical letters dated 29 July 2013 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the following information:

After hundreds of armed terrorists had taken control the Khan Asal area, in order to tighten the siege of Aleppo and prevent food and medicine from reaching that city, a terrorist group calling itself Liwa Ansar al Khilafah (Supporters of the Caliphate Brigade) committed a horrifying mass murder in Khan Asal city. Dozens of civilians and military personnel were killed in the attack, which bears the hallmarks of an Al-Qaida operation. The terrorists mutilated some victims' bodies and tossed them into a large pit and set fire to the bodies of others.

The events that occurred in Khan Asal over the past few days have revealed the involvement of certain neighbouring States in the provision of military, material and logistical support to the armed terrorist groups. The involvement of those States is such that they are giving orders to attack specific sites and perpetrate massacres, with a view to achieving their goal of destabilizing Syria.

The Government of the Syrian Arab Republic stresses that certain States that are permanent members of the Security Council continue to apply double standards with regard to counter-terrorism by preventing the Council from condemning the numerous terrorist crimes that have been committed in Syria by takfirist organizations associated with Al-Qaida, the most recent of which was the terrorist bombing that occurred in Jaramana, Rif Dimashq, on 25 July 2013. Those States are also acting as partners to the terrorists through their direct involvement in providing armed terrorist groups with weapons, materiel and political cover, in violation of their responsibility as permanent members of the Council to maintain international peace and security. All of this raises many questions regarding those States' commitment to combating terrorism and their adherence to Security Council resolutions concerning counter-terrorism. The position taken by those States and their allies in the region is contrary to the international consensus on

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counter-terrorism and encourages the commission of more terrorist crimes against Syrians. It also impedes all international efforts to find a political solution to the crisis through a dialogue among Syrians that respects their choices and will help stop the violence and combat the terrorism of the extremist, takfirist groups.

In view of this horrific massacre, which followed a series of attacks in Jisr al-Shughur in Idlib, the village of Hatlah in Dayr al-Zawr and other locations, the Syrian Arab Republic calls on the international community, in particular the Security Council and the Human Rights Council, to take serious and responsible steps to counter the terrorism being waged against Syria by takfirist gangs that are ideologically and organizationally linked to Al-Qaida. It further calls on the international community to uncover the facts behind this appalling mass murder and the motive for it, while eschewing hypocrisy and double standards.

I should be grateful if this letter could be circulated as a document of the General Assembly, under agenda item 105 on measures to eliminate international terrorism, and of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative

United Nations S/2013/450

Security Council

Distr.: General
29 July 2013

Original: English

Report of the Secretary-General on the situation in Abyei

I. Introduction

1. The present report is submitted pursuant to paragraph 21 of Security Council resolution 2104 (2013), in which the Council requested that I continue to inform it of progress in implementing the mandate of the United Nations Interim Security Force for Abyei (UNISFA) and to bring to its attention any serious violations of the 20 June 2011 Agreement between the Government of the Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area (S/2011/384, annex).

2. The report provides an update on the situation in Abyei and on the deployment and operations of UNISFA since my previous report of 17 May 2013 (S/2013/294). In addition, it provides an update on progress in the implementation of the additional tasks mandated to the Force under Security Council resolutions 2024 (2011) and 2104 (2013) with respect to the Joint Border Verification and Monitoring Mechanism.

II. Security situation

3. The security situation in the Abyei area remained generally calm, but unpredictable, owing to tensions between the Ngok Dinka and Misseriya communities, exacerbated by the 4 May incident that resulted in the killing of the Ngok Dinka Paramount Chief, Kuol Deng Kuol, and the proliferation of small arms and the continued absence of local Government institutions, particularly the Abyei Police Service and other law and order local institutions. In addition, approximately 120 to 150 personnel of the Sudan Oil Police Force remained in the Diffra Oil Complex, in violation of the 20 June 2011 Agreement and Security Council resolutions 1990 (2011), 2031 (2011), 2046 (2012), 2047 (2012), 2075 (2012) and 2104 (2013).

4. Following the 4 May incident that resulted in the killing of the Ngok Dinka Paramount Chief, the probability of intercommunal violence between the Misseriya and Ngok Dinka communities increased. Members of the Misseriya community living in Abyei town and surrounding areas, fearing reprisal attacks by the Ngok Dinka, fled and moved north of Goli village (approximately 35 km from Abyei town).

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the Monitoring Mechanism to conduct ground verification from its headquarters in Kadugli. Concurrently, preparations are ongoing for the establishment of the initial operating capability in Kadugli and Gok Machar after the end of the rainy season, in October, with two full companies. The deployment of the remaining two companies to the sector headquarters in Buram (South Darfur, the Sudan) and Malakal (Upper Nile State, South Sudan) will depend on progress that can be made in the establishment of the sector headquarters of the Monitoring Mechanism during the rainy season.

29. The configuration of the UNISFA military component in all three sectors is based on its conflict prevention and mitigation strategy, as well as the location of the Sudan Armed Forces and Sudan People's Liberation Army outside the boundaries of the Abyei Area. The southern sector headquarters has been relocated from Agok to Athony, while the central sector headquarters has been relocated to Dokura, following the completion of construction works at those locations.

30. During the reporting period, UNISFA redeployed its troops in accordance with its rainy season concept of operations. In the northern sector, the battalion relocated its troops from Tajalei and Um Khariat to its headquarters in Diffra. In the central sector, troops from Noong and Donguoup were redeployed to their battalion headquarters in Dokura. In the southern sector, troops from Marial Achak, Arik, Leu, Colognal and Arik were relocated to Athony and Agok. The Force also increased air patrols in those areas. UNISFA team sites at Tajalei and Marial Achack, consisting of military observers, were relocated to Banton. The Um Khariat team site was relocated to Todach, and the Shegei and Alal team sites were relocated to the UNISFA Abyei headquarters.

31. There are still 11 United Nations police officers deployed to UNISFA, including one Senior Police Adviser. The police component continued to support and advise the Head of Mission and UNISFA troops on public order management, crime analysis and community security issues within the Abyei area. The police personnel deployed in Abyei town and Agok monitored security groups of citizen volunteers and tribal justice mechanisms.

VIII. Mission support

32. UNISFA continued to consolidate and expand camp facilities and services to provide hard-walled living and office accommodation in locations where its troops are deployed within the Abyei Area, including company operating bases, temporary operating bases and staff accommodation. The absence of critical infrastructure, including poor road and air connectivity and a lack of warehousing facilities continued to impede its efforts.

33. The mission continued to upgrade roads to enable access to major troop deployment sites during the rainy season, although the pace of works was affected by protracted delays in obtaining supplies of laterite. UNISFA has also worked with its new rations contractor on the construction of a rations and food supplies warehouse in Abyei.

34. In May, the mission commenced weekly flights from Abyei to the sector headquarters of the Joint Border Verification and Monitoring Mechanism in Gok Machar. The former temporary headquarters of the Monitoring Mechanism in

Assosa, Ethiopia, was closed and its stores and equipment redeployed to other sites operated by the Mechanism in Gok Machar, Malakal and Buram.

IX. Observations and recommendations

35. The public administration and rule of law vacuum in Abyei continues to pose a serious threat to the maintenance of security in the area. This also deters displaced communities from returning. I therefore call upon the Governments of the Sudan and South Sudan to agree upon the immediate establishment of the Abyei Area Administration, the Abyei Police Service and the Abyei Legislature, in accordance with the 20 June 2011 Agreement.

36. The security situation in Abyei remains extremely fragile, as do relations between the various communities in the area. These problems are exacerbated by the widespread prevalence of arms. I strongly urge both parties to take concrete steps to expedite the disarmament of communities in Abyei in order to ensure sustainable peace and harmony in the area, in accordance with the 3 May 2013 decision of the Abyei Joint Oversight Committee to turn Abyei into a weapon-free area.

37. The Governments of the Sudan and South Sudan are both responsible for the implementation of their agreement. In particular, they must prevent the entry of armed elements into the Abyei Area. I call on both Governments to fully cooperate with the African Union-led joint investigation into the 4 May incident, and to ensure that its conclusions and recommendations are fully implemented in order to avoid the reoccurrence of such incidents.

38. With respect to the implementation of the proposals of the African Union High-level Implementation Panel of 27 September 2012 for the resolution of the final status of Abyei, I call on the parties to immediately communicate to the Implementation Panel the names of their representatives for a new round of consultations.

39. The continued presence of the Sudan police in the Diffra oil complex undermines the ability of UNISFA to maintain security in the area. It is critical that the Government of the Sudan redeploy this force outside of the Abyei Area, in accordance with the 20 June 2011 Agreement.

40. It is also imperative that confidence be built between the Sudan and South Sudan. I call upon the two countries to restore their dialogue mechanisms, including the Area Joint Oversight Committee and the Joint Political and Security Mechanism, and to resume discussions under the aegis of the African Union and the African Union High-level Implementation Panel. These instruments are vital to building trust among the communities and ensuring the speedy implementation of agreements between the parties. I urge the parties to return to the table to negotiate a political settlement to all outstanding issues relating to the Abyei Area.

41. I would like to commend the work of my Special Envoy, Haile Menkerios, and the African Union High-level Implementation Panel led by President Thabo Mbeki. I also wish to express my appreciation for their sustained efforts to assist the parties in resolving their issues. In addition, I wish to thank the Head of Mission and Force Commander, Major-General Yohannes Tesfamariam, and his staff in UNISFA for their continued efforts to enhance peace and stability in the Abyei Area, despite myriad challenges, and to support both parties in the implementation of their security agreements.

Annex I

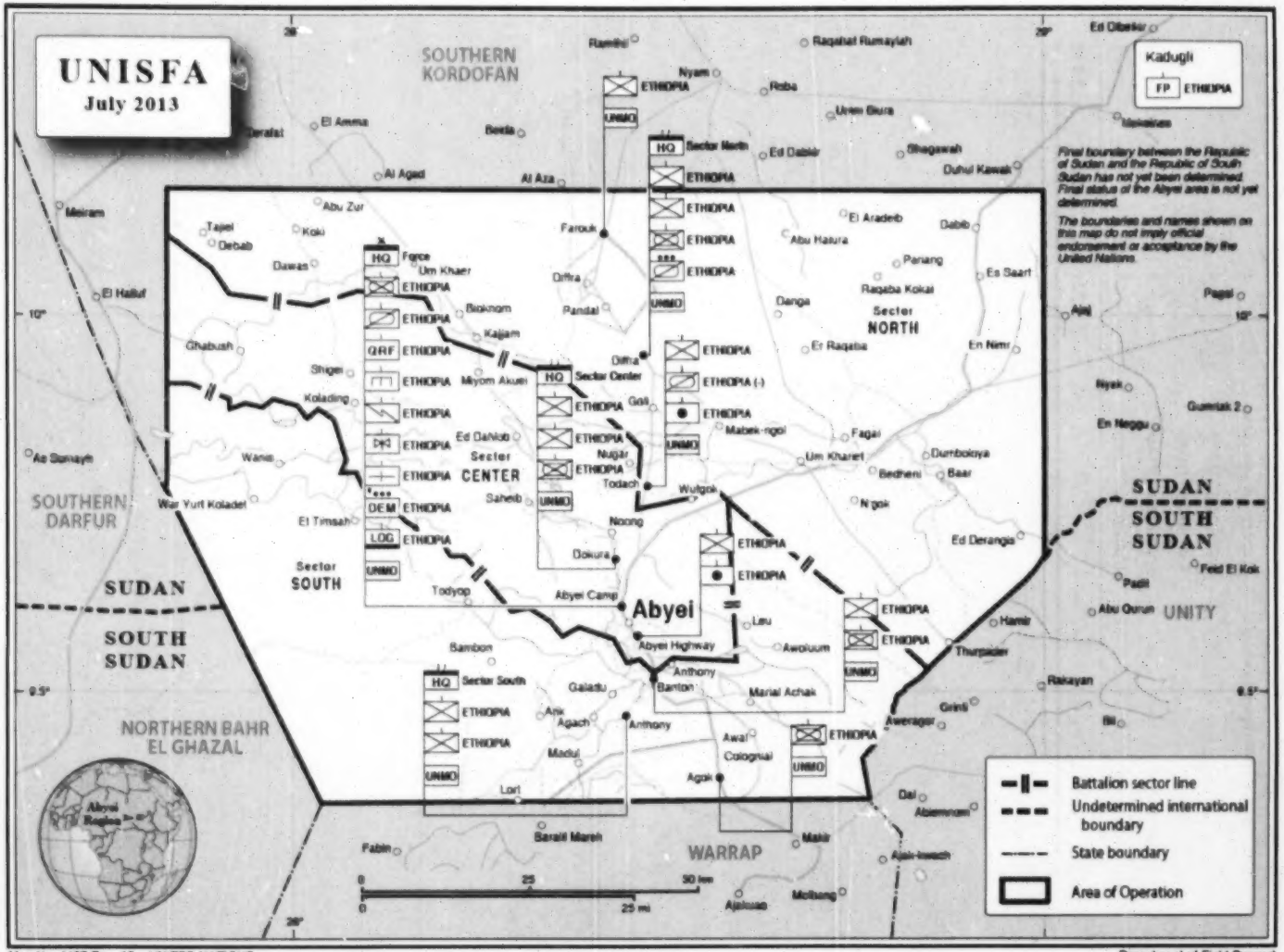
Composition of the United Nations Interim Security Force for Abyei military component (including the Joint Border Verification and Monitoring Mechanism)

Country	*Description*	*Male*	*Female*	*Total*
Benin	Contingent troop	1		1
Bolivia (Plurinational State of)	Experts on mission	1		2
	Contingent troop	1		
Brazil	Experts on mission	3		5
	Contingent troop	2		
Cambodia	Experts on mission	3		3
Ecuador	Contingent troop	1		1
Ethiopia	Experts on mission	68	10	3 883
	Contingent troop	3 598	207	
Ghana	Experts on mission	1		2
	Contingent troop	1		
Guatemala	Experts on mission	1		2
	Contingent troop	1		
India	Contingent troop	2		2
Indonesia	Contingent troop	1		1
Kyrgyzstan	Experts on mission	1		1
Mongolia	Experts on mission	2		2
Namibia	Experts on mission	1		4
	Contingent troop	3		
Nepal	Experts on mission	1		1
Nigeria	Contingent troop	3		3
Paraguay	Experts on mission	1		1
Peru	Experts on mission	1		2
	Contingent troop	1		
Philippines	Contingent troop	1		1
Russian Federation	Experts on mission	1		3
	Contingent troop	2		
Rwanda	Experts on mission	1		3
	Contingent troop	2		
Sierra Leone	Experts on mission	2		2
Sri Lanka	Experts on mission	1		2
	Contingent troop	1		
Ukraine	Experts on mission	4		6
	Contingent troop	2		

Country	*Description*	*Male*	*Female*	*Total*
United Republic of Tanzania	Experts on mission	1		2
	Contingent troop	1		
Uruguay	Contingent troop	1		1
Zambia	Contingent troop	1		1
Zimbabwe	Contingent troop	1		1
Total		**3 721**	**217**	**3 938**

Annex II

Deployment of the United Nations Interim Security Force for Abyei



United Nations S/2013/451

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30 July 2013

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Report of the Secretary-General concerning the credentials of the alternate representative of Azerbaijan on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a letter dated 30 July 2013 from the Deputy Permanent Representative and Chargé d'Affaires a.i. of Azerbaijan stating that Mr. Javid Nasirli has been appointed alternate representative of Azerbaijan on the Security Council.

In the opinion of the Secretary-General, this letter constitutes adequate provisional credentials.

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